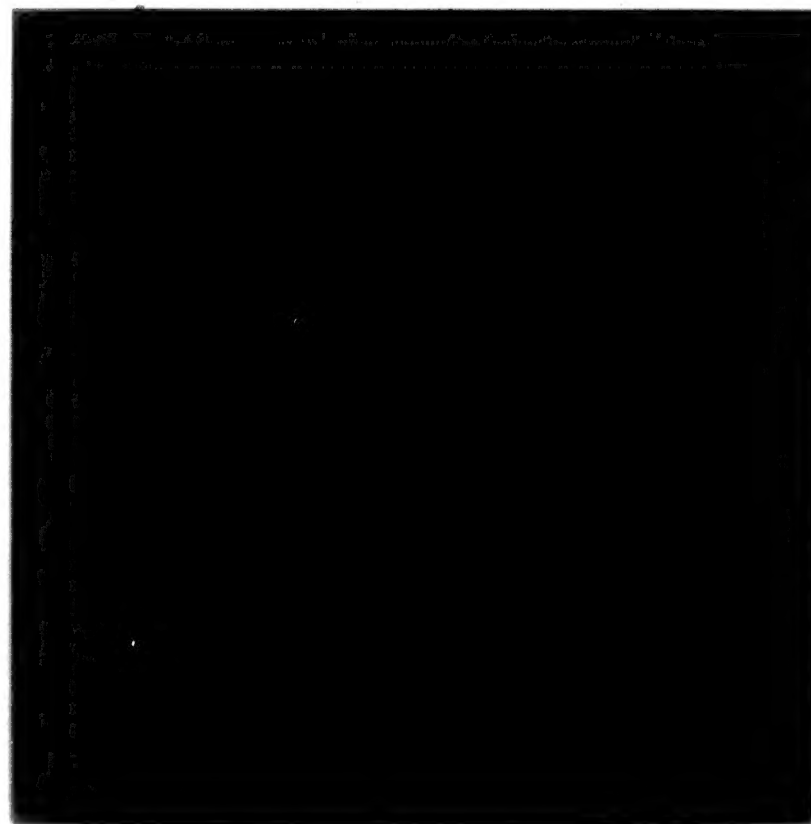
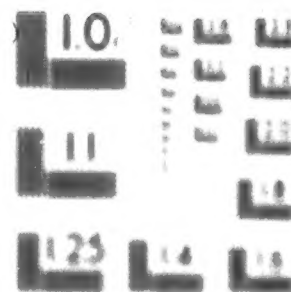
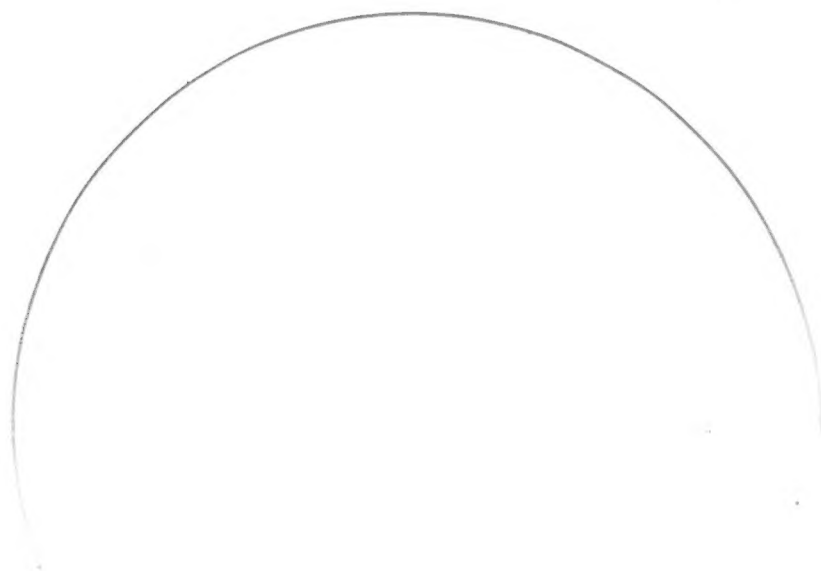
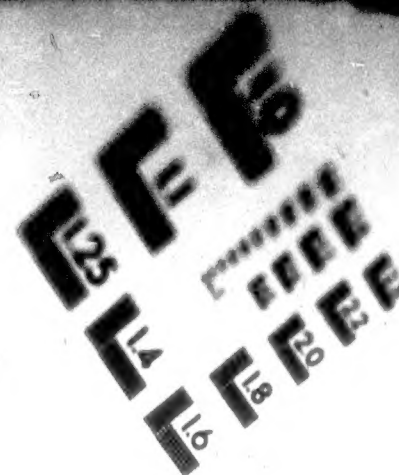
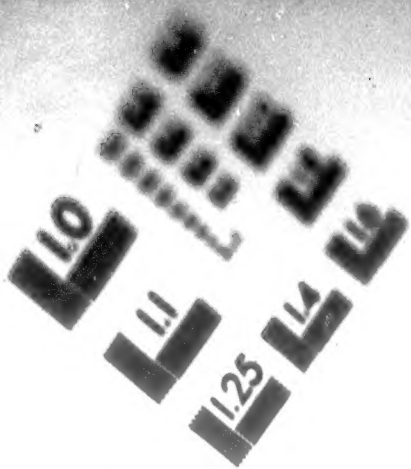


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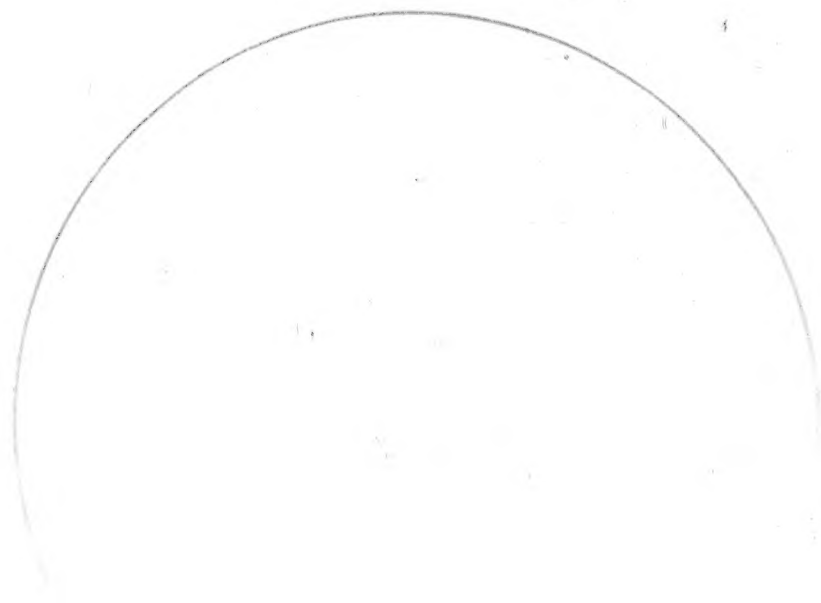


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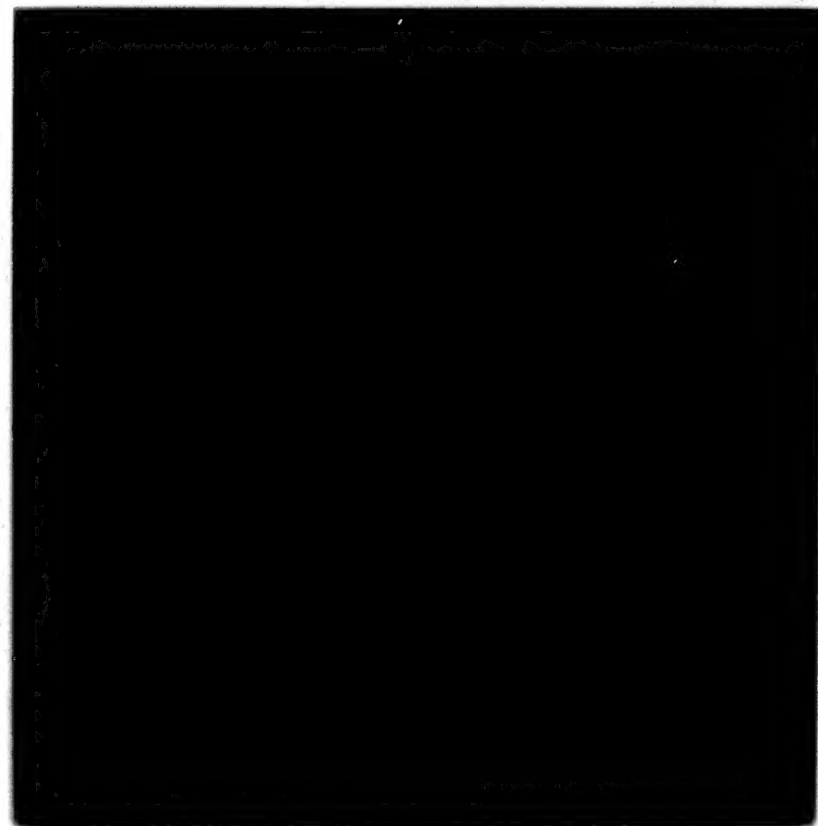
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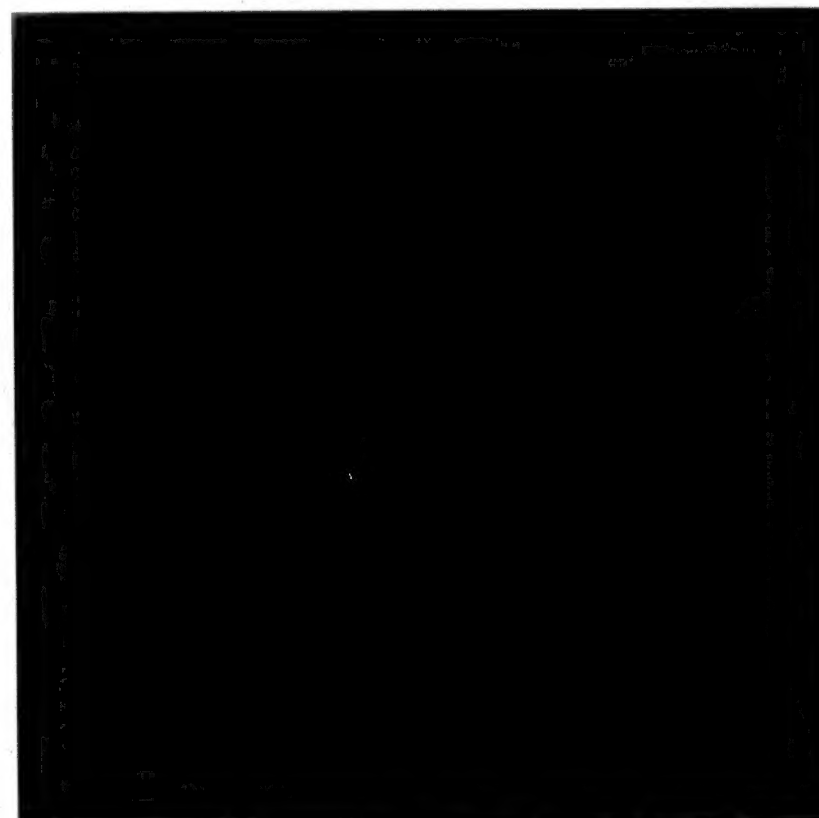
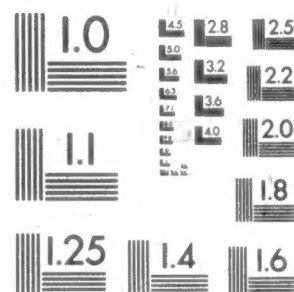
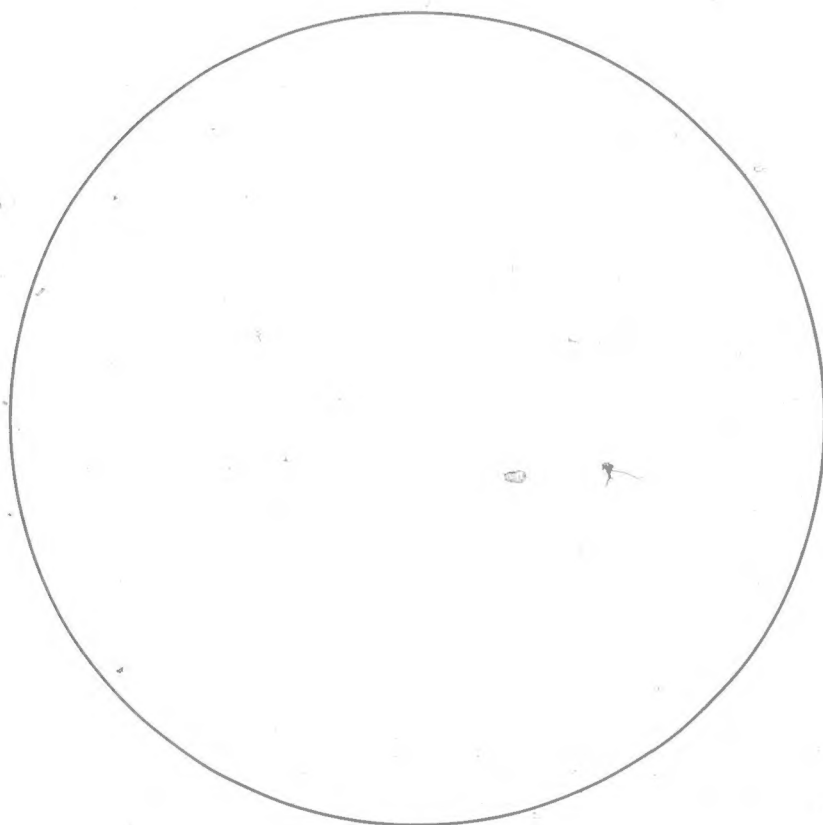
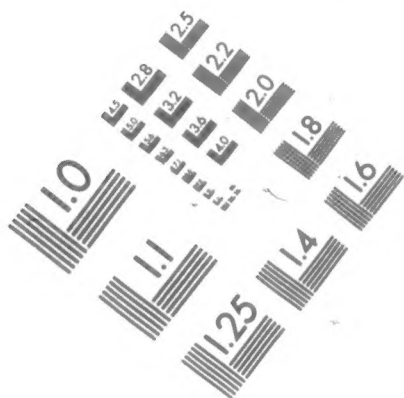
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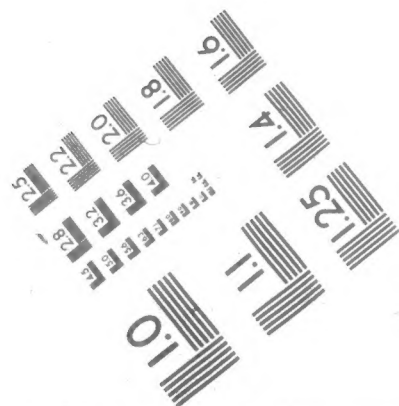
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**APPLICATIONS FOR ENROLLMENT OF THE
COMMISSION TO THE FIVE CIVILIZED TRIBES**

1898 - 1914

ROLL 109

MISSISSIPPI, CHOCTAW MCR 1970 - MCR 2054

**THE NATIONAL ARCHIVES
NATIONAL ARCHIVES AND RECORDS SERVICE
GENERAL SERVICES ADMINISTRATION**

WASHINGTON: 1983

Choctaw MCR 1970

Emma Needham

MCR 1970

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application of Emma Needham, et al., for
identification as Mississippi Choctaws, M.C.R. 1970.

List of papers forwarded to the Secretary of the Interior
comprising the record in the above case.

	(Page.)
Original application of Emma Needham, et al., to the Dawes Commission for identification as Mississippi Choctaws-----	1
Decision of the Commission refusing the application of Emma Needham, et al., for identification as Mississippi Choctaws-----	4

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
Meridian, Mississippi, April, 29th, 1901.

In the matter of the application for identification as
Mississippi Choctaws of Emma Needham and her three minor children.
Said Emma Needham, being duly sworn, testified as follows:

Examination by the Commission.

- Q What is your name? A Emma Needham.
Q How old are you? A I don't remember, reckon about 30 or 32.
Q What is your postoffice address? A Meridian, Mississippi.
Q Have you any street number here? A Yes sir, Eleventh Street
and 33rd Avenue, No. 3214.
Q How long have you lived in Mississippi? A All my life.
Q Born here? A Yes sir.
Q What is your father's name? A Harry Yargell.
Q Is your father living? A No sir, he is dead.
Q How long has he been dead? A About 7 years.
Q What is your mother's name? A Mary Yarrell.
Q Is your mother living? A Yes sir, she has been up here.
Q Through which one of your parents do you derive your Choctaw
blood? A My mother.
Q Is your mother a Choctaw Indian? A Yes sir.
Q Was she ever recognized as a Choctaw Indian by either the Choctaw
Tribal authorities or by the authorities of the United States?
A She has been recognized by the Choctaw Indians in the way of
speaking, passing people they would say she is Indian heap. Of
course she never lived with them.
Q Did she speak the Choctaw language? A No sir, not as I know
of.
Q Can you speak the Choctaw language? A No sir.
Q How much Choctaw blood do you claim? A Well, I reckon I
claim about one-eighth, I don't know.
Q Did your mother and father always live in Mississippi?
A Yes sir.
Q Were either of them slaves? A My mother was a slave.
Q Was your father? A Yes sir, I reckon he was.
Q Are you married? A No sir, I am not married now. I have
been married though.
Q Have you any children under 21 years of age and unmarried?
A Yes sir.
Q How many? A Three.
Q What are their names and ages? A Mary Ophelia Needham is
the oldest.
Q How old is she? A She is 14.
Q Go ahead. A Dolphus Needham is the next one.
Q How old is he? A 12 years old.
Q The youngest one? A Annie Olevia Needham.
Q How old is she? A 7 years old.
Q Are you the mother of these three children? A Yes sir.
Q Who is the father? A Ode Needham.
Q Is he dead? A Yes sir.
Q Was he a negro? A Yes sir, mixed blood.
Q He never made any claim to Choctaw citizenship? A No sir,
he never made the claim, reckon he never heard of it.
Q You are making the claim for your children simply through you?
A Yes sir, through me.
Q Is your name and the names of these children upon any of the
tribal rolls of the Choctaw Nation in the Indian Territory?
A No sir.
Q Have you, or has anyone for you, ever made application to the
Choctaw Tribal authorities of the Indian Territory to be enrolled
as members of that tribe? A No sir.

Q Did you or did anyone for you, five years ago, in 1896, make application to this Commission for citizenship in the Choctaw Nation under the Act of Congress of June 10, 1896? A No sir.

Q Have you or your children ever been admitted to citizenship in the Choctaw Nation by the Choctaw Tribal authorities, the Commission to the Five Civilized Tribes or by United States Court in Indian Territory? A No sir.

Q Have you, or has anyone for you, or for these children, prior to this time ever made application to either the Choctaw tribal authorities or to the authorities of the United States to be admitted to citizenship or enrolled as members of the Choctaw tribe of Indians? A No sir.

Q This is the first application you have ever made of any description? A Yes sir.

Q Is it now your purpose to make application for the identification of yourself and your children as Mississippi Choctaws?

A Yes sir.

Q Do you claim your rights as a beneficiary under article fourteen of the treaty of 1830? A Yes sir.

Q Have you ever received any benefit as a Choctaw Indian in the Indian Territory? A No sir.

Q Have any of your ancestors ever received any benefits as Choctaw Indians? A No sir.

Q What is the name of your ancestor, or ancestors, who were residents of the old Choctaw Nation in Mississippi and Alabama and acknowledged members of the Choctaw Tribe of Indians in 1830 when the treaty of Dancing Rabbit Creek was entered into between the United States and the Choctaw Tribe of Indians? A I don't know.

Q Have you any evidence showing that you or any of your ancestors were recognized as members of the Choctaw Tribe of Indians in 1830? A No sir.

Q Did any of your ancestors remove from the territory occupied by the Choctaw Tribe of Indians in Mississippi and Alabama to the present Choctaw Nation in the Indian Territory at the time of the removal of the other members of the Choctaw Tribe of Indians from 1833 to 1838? A No sir.

Q Have you ever heard of any of your ancestors ever removing to the Indian Territory? A No sir.

Q Did any of your ancestors, within six months after the ratification of the treaty of 1830 signify to the United States Indian Agent of the Choctaw Indians in Mississippi of their intention to remain in Mississippi and become citizens of the United States?

A No sir.

Q Have any of your ancestors ever claimed or received any land in Mississippi as beneficiaries under the provisions of the fourteenth article of the treaty of 1830 between the United States Government and Choctaw Tribe of Indians?

A No sir.

Q Do you know anything of your ancestors here in Mississippi in 1830? A No sir, I don't know.

Q What were the names of your mother's father and mother?

A My grandfather was named Jerry.

Q Jerry Yarrell? A No sir, he was named Jerry Twilly.

Q Was he a Choctaw Indian? A Yes sir.

Q Have you any evidence of that fact?

A Well, I have the evidence from what my mother says is all I know, because I never remember seeing my grandfather.

Q Was he ever recognized in any official manner as a member of the Choctaw Tribe of Indians? A Yes sir, because his father was an Indian.

Q Was he ever in any official manner recognized by the United States Government or the Choctaw Nation? A No sir, not as I know of.

Q Is there any additional statement that you desire to make in support of this application? Is there anything you want to say that you believe would be of benefit to your claim?

A I would like to say a heap more than I know what to say. The only statement I have to go by is what my mother says of course and if she can't prove herself why I can't prove myself.

Q Have you at this time any documentary evidence, affidavits, written testimony of any description, copies of records, deeds or patents, or any proper papers, showing that your ancestors were ever recognized members of the Choctaw Tribe of Indians in Mississippi in 1830 or that they ever complied or attempted to comply with the provisions of the fourteenth article of the treaty of 1830 or that they have ever received any benefits under that article of that treaty? A No sir. All I know is that my mother claimed to be Indian, she said that her father was half Indian.

Q Are you represented by an attorney? A Yes sir.


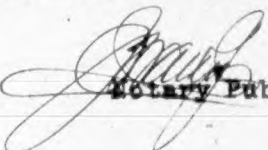
Permission is granted L. P. Hudson, attorney for the applicants, to file written evidence in support of this application, provided the same is offered for filing with the Commission within thirty days from the date herein.

The applicant in this case has none of the appearance of a Choctaw Indian and is evidently a negro. Is unable to speak the Choctaw language and has no knowledge of any compliance of her ancestors with the provisions of the 14th article of the Treaty of 1830.

The decision of the Commission as to your application ~~may make~~ and the application you make on behalf of your three minor children for identification as Mississippi Choctaws, will be determined at the earliest possible date and report of the same made to the Secretary of the Interior conformable to the provisions of the twenty-first section of the Act of Congress of June 28, 1898, and a copy of the same will be mailed to you at your postoffice address as given in your testimony at this time.

Ira S. Niles, having been first duly sworn, upon his oath states that as stenographer to the Commission to the Five Civilized Tribes he reported in full all proceedings had in the above entitled cause on the 29th day of April, 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes of said proceedings on said date.

Subscribed and sworn to before me this 29th day of April, A.D. 1901, at Meridian, Mississippi.



Notary Public.

COPY.

Coll.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application of Emma Needham, et al., for
identification as Mississippi Choctaws, M.C.R. 1970.

--- D E C I S I O N ---

It appears from the record herein that application for
identification as Mississippi Choctaws was made to this Commission
by Emma Needham for herself and her three minor children, Mary
Cynthia, Dolphin and Annie Olivia Needham, under the following pro-
visions of the act of Congress approved June 25, 1898 (30 Stat., 498):

"Said Commission shall have authority to determine the
identity of Choctaw Indians claiming rights in the Choctaw
lands under article fourteen of the treaty between the United
States and the Choctaw Nation, concluded September twenty-
seventh, eighteen hundred and thirty, and to that end may ad-
minister oaths, examine witnesses, and perform all other acts
necessary thereto and make report to the Secretary of the
Interior."

It also appears that all of said applicants claim rights
in the Choctaw lands under article fourteen of the treaty between
the United States and the Choctaw Nation, concluded September twenty-

seventh, eighteen hundred and thirty, by reason of being descendants of one Jerry Twilly, who is alleged to have been an one-half blood Choctaw Indian.

It further appears from the evidence submitted in support of said application and from the records in the possession of the Commission that none of said applicants has ever been enrolled by the Choctaw tribal authorities as a member of the Choctaw tribe, or admitted to Choctaw citizenship by a duly constituted court or committee of the Choctaw Nation,, or by the Commission to the Five Civilized Tribes, or by a decree of the United States Court in Indian Territory, under the provisions of the act of Congress approved June 10, 1896 (29 Stats., 321).

It does not appear from the testimony and evidence offered in support of said application or from the records in the possession of the Commission relating to persons who complied or attempted to comply with the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and to persons who heretofore were claimants thereunder, that the said Jerry Twilly, or ancestors less remote, signified (in person or by proxy) to Colonel Wm. Ward, Indian Agent, Choctaw Agency, an intention to comply with the provisions of said article fourteen, or presented a claim to rights thereunder to either of the Commissioners authorized to adjudicate such claims by the acts of Congress approved March 3, 1837 (5 Stats., 180) and August 23, 1842 (5 Stats., 513).

It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Emma Needham, Mary Ophelia Needham, Delphus Needham and Annie Olivia Needham as Choctaw Indians entitled to rights in the Choctaw lands

under the provisions of said article fourteen of the treaty of
eighteen hundred and thirty, and that the application for their
identification as such should be refused, and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

(SIGNED) Tams Dixby.

Acting Chairman.

(SIGNED) T. B. Needles.

Commissioner.

(SIGNED) C. R. Breckinridge.

Commissioner.

Madame, Indian Territory,

DEC 5 1902

M.C.R. 1970.

COPY.

Muskogee, Indian Territory, December 5, 1902.

Mansfield, McMurray & Cornish,

Attorneys for Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:

You are hereby advised that on the 5th day of December, 1902, the Commission to the Five Civilized Tribes rendered a decision in the case of Emma Needham, et al., applicants for identification as Mississippi Choctaws.

This application was made under the provision of the act of Congress of June 28, 1898 (30 Stats., 495).

Said decision concludes as follows:

"It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Emma Needham, Mary Ophelia Needham, Dolphus Needham and Annie Olevia Needham as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the applications for their identification as such should be refused, and it is so ordered."

You are further advised that the applicants in this case have been allowed fifteen days from the date hereof within which to file arguments in this office, and that at the expiration of said time the papers in the case, together with such arguments, will be forwarded for review to the Secretary of the Interior through the Commissioner of Indian Affairs.

Respectfully,

(SIGNED).

Francis Dixby

Acting Chairman.

M.C.R. 1970.

COPY.

Muskogee, Indian Territory, December 5, 1902.

Emma Needham,

11th Street and 33rd Avenue,
Meridian, Mississippi.

Dear Madam:

You are hereby advised that on the 5th day of December, 1902, the Commission to the Five Civilized Tribes rendered a decision in the case of Emma Needham, et al., applicants for identification as Mississippi Choctaws.

This application was made under the provision of the act of Congress of June 28, 1898 (30 Stats., 495), which is as follows:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses, and perform all other acts necessary thereto and make report to the Secretary of the Interior."

Said decision concludes as follows:

"It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Emma Needham, Mary Ophelia Needham, Dolphus Needham and Annie Olivia Needham as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the application for their identification as such should be refused, and it is so ordered."

You are further advised that you will be allowed fifteen

Emma Needham--#2.

days from the date hereof within which to file arguments in this office, and that at the expiration of said time the papers in the case, together with such arguments, will be forwarded for review to the Secretary of the Interior through the Commissioner of Indian Affairs.

Respectfully,

(SIGNED)

Tams Dixby

Acting Chairman.

Registered.

Muskogee, Indian Territory, December 22, 1902.

The Honorable,

The Secretary of the Interior.

Sir:

There is transmitted herewith the record in the case of Emma Needham, et al., applicants to the Commission for identification as Mississippi Choctaws, including the decision of the Commission of December 5, 1902.

The Commission has the honor to report that the principal applicant herein and the attorneys for the Choctaw and Chickasaw Nations have been duly advised by letter of the action of the Commission, copies of said letters being attached to the record.

The applicants in this case are related to the applicants in the Mississippi Choctaw case of Mary E. Yerrall, et al., decision in which was rendered by the Commission on April 15, 1902, and approved by the Secretary on May 29, 1902.

Respectfully,

Through the

Commissioner of Indian Affairs.

Enc. M.C.R. 1970.

James H. Smith
Acting Chairman.

D. C. 8302

C O P Y.

WHR.

DEPARTMENT OF THE INTERIOR.

W A S H I N G T O N.

I.T.D. 2240-1903.

March 21, 1903.

L R S

The Commission

to the Five Civilized Tribes,

Muskogee, Indian Territory.

Gentlemen:

December 22, 1902, you transmitted the record in the matter of the application of Emma Needham, for the identification of herself and three minor children, Mary Ophelia, Dolphus and Annie Olivia Needham (M.C.R. 1970), including your decision of December 5, 1902, adverse to the applicants.

The principal applicant, Emma Needham, claiming to be one-eighth Choctaw, is the daughter of Harry and Mary Yarrell, ex-slaves and residents of the State of Mississippi. Descent is claimed through her mother, Mary Yarrell, nee Twilly, to her grandfather, Jerry Twilly, an alleged half-blood Choctaw.

From an examination of the records it does not appear that any one of the applicants was ever admitted or enrolled as a citizen of the Choctaw Nation, or that said Mary Yarrell, nee Twilly, or Jerry Twilly, or a less remote ancestor, complied or attempted to comply with the provisions of the 14th article of the treaty of September 27, 1830, or with the subsequent acts relating thereto.

Reporting in the matter February 26, 1903, the Acting Commissioner of Indian Affairs stated:

An examination of the records of this office with reference to the names of Jerry Twilly and Mary Yarrell has been made and it is discovered that their names do not appear among those who com-

plied or attempted to comply with the provisions of the 14th article of said treaty. Neither does it appear that they applied to the commissions appointed under the Acts of March 3, 1837, and August 23, 1842, for an adjudication of their rights if they had such rights as Choctaw Indians.

These being the facts it is respectfully recommended that the decision of the Commission rejecting the parties hereto be approved.

The Department is of the opinion, from the testimony submitted, that the applicants have failed to establish their rights to Choctaw citizenship, and in accordance with the Acting Commissioner's recommendation, a copy of whose report is inclosed, your decision refusing to identify them is hereby affirmed.

Respectfully

Thos. Ryan,

Acting Secretary.

1 inclosure.

Land.
76218--1902.

C O P Y.
Department of the Interior,
Office of Indian Affairs,
Washington, Feb. 26, 1903.

The Honorable,

The Secretary of the Interior.

Sir:

There is transmitted herewith for your consideration the record of the Commission to the Five Civilized Tribes in the matter of the application of Emma Needham for the identification of herself and her three minor children, Mary Ophelia, Dolphus, and Annie Olevia Needham, as Mississippi Choctaws, claiming rights as such under the provisions of the 14th article of the Choctaw treaty of 1830.

The testimony in this case shows that the applicants base their claim to identification as Mississippi Choctaws under this application on their descent from Jerry Twilly who, it is alleged, was a Choctaw Indian and a resident of the Choctaw Nation in Mississippi in 1830, through Mary Yarrell, his daughter.

The Commission rejected the applicants December 5, 1902, because the name of their ancestor through whom they claim does not appear among the names of those who complied or attempted to comply with the provisions of the 14th article of the treaty of 1830, and for the additional reason that the applicants themselves have never been enrolled as citizens of the Choctaw Nation.

An examination of the records of this office with reference to the names of Jerry Twilly and Mary Yarrell has been made and it is discovered that their names do not appear among those who complied or attempted to comply with the provisions of the 14th article of said treaty. Neither does it appear that they applied to

-2-

the commissions appointed under the Acts of March 3, 1837 and August 23, 1842 for an adjudication of their rights if they had such rights as Choctaw Indians.

These being the facts it is respectfully recommended that the decision of the Commission rejecting the parties hereto be approved.

Very respectfully,

A. C. Tonner,
Acting Commissioner.

C.T.C. (s)

M.C.R. 1970

COPY!

Muskogee, Indian Territory, March 30, 1903.

Emma Needham,
11th St. and 33rd Avenue,
Meridian, Mississippi.

Dear Madam:

You are hereby notified that on the 21st day of March, 1903, the Secretary of the Interior affirmed the decision of this Commission, refusing the application for identification as Mississippi Choctaws, of the several persons included in the case of Emma Needham, et al., of which decision you were advised by registered mail on the 5th day of December, 1902.

Respectfully,

Jams Dixby.
Chairman.

M.C.R. 1970

copy.

Muskogee, Indian Territory, March 30, 1903.

Mansfield, McMurray & Cornish,

Attorneys for the Choctaw and Chickasaw Nations,
South McAlester, Indian Territory.

Gentlemen:

You are hereby notified that on the 21st day of March, 1903, the Secretary of the Interior affirmed the decision of this Commission, refusing the application for identification as Mississippi Choctaws, of the several persons included in the case of ~~Anna~~ Needham, et al., of which decision you were advised by mail on the 5th day of December, 1902.

Respectfully,

Tamo Dixie

Chairman.

For Identification as a Mississippi Choctaw.

Date APR 29 1901

Name Emma Needham.

Age 30. Blood $\frac{1}{8}$.Post Office ^{1142. St. Ave.} Meridian, Miss.

Father: Harry Farrell - dead.

Mother: Mary Farrell - ✓

Claims through mother.

HUSBAND:

Ode Needham - dead.
(no claim for husband).

Children:

Mary Ophelia Needham 14

Dolphus " " 12.

Annie Olivia " " 7.

(Claims for herself and
three minor children).

Stenographer

J. S. Niles.

Emma Needham
REFUSED

DECISION RENDERED. DEC 1 1902

NOTICE OF DECISION MAILED APPLICANT.

1940

DEC 5 - 1902

**NOTICE OF DECISION MAILED ATTORNEYS
FOR CHOCTAW AND CHICKASAW NATIONS**

DEC 11 - 1902

RECORD FORWARDED DEPARTMENT.

DEC 22 1902

ACTION APPROVED BY SECRETARY OF INTERIOR.

MAR 21 1903

**NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEYS**

MAR 21 1903

**NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEYS FOR CHOCTAW
AND CHICKASAW NATIONS.**

MAR 21 1903

Choctaw MCR 1971

Columbus Tubbee

MCR 1971

R 1971

R 1971

FOR IDENTIFICATION AS
A MISSISSIPPI CHOCTAW

COLUMBUS TUBEE

IDENTIFIER

Decision rendered FEB 14 1903

Copy of decision forwarded
attorneys for Choctaw and
Chickasaw nations.

COPY OF DECISION FORWARDED
APPLICANT
MAR 11 1903

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

The within record is in the matter of the application
of Columbus Tubbee for identification as a Mississippi
Choctaw-----M.C.R. 1971

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

In the matter of the application of Columbus Tubbee
for identification as a Mississippi Choctaw, M.C.R. 1971

I N D E X

	Page
Original application of Columbus Tubbee to the Dawes Commission for identification as a Mississippi Choctaw	1
Decision of the Commission identifying Columbus Tubbee as a Mississippi Choctaw	4

1171

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
Meridian, Mississippi, April 30, 1901.

In the matter of the application for identification as a Mississippi Choctaw of Columbus Tubbee.
Said Columbus Tubbee, being first duly sworn, testified as follows: -Through Choctaw Interpreter, Isham Johnston.

Examination by the Commission.

- Q What is your name? A Columbus Tubbee.
Q What is your age? A 21.
Q Where do you live? A Jasper County.
Q What is your postoffice address? A Hero.
Q How long have you lived in Mississippi? A All my life.
Q Were you born here in Mississippi? A Yes.
Q What is your father's name? A Willis Tubbee.
Q Is your father living? A Yes.
Q Is he a full blood Choctaw Indian? A Yes.
Q Did he always live here in Mississippi? A Yes.
Q What is your mother's name? A Susie.
Q Is your mother living? A Yes.
Q Is she your father's present wife? A Yes.
Q Isn't she known by the name of Martha? A I don't know.
Q Is your mother a full blood Choctaw? A Yes.
Q Did she always live here in Mississippi? A Yes.
Q Did your mother's and father's people, as far back as you know anything about them, always live here in Mississippi? A I don't know about that.
Q Are you married? A No.
Q Have you ever been married? A No.
Q You are just applying for yourself, are you? A Yes.
Q Have you ever been enrolled by the Choctaw Nation in the Indian Territory as a member of that tribe? A I don't know.
Q Did you or did anyone for you ever make application to the Choctaw Tribal authorities of the Indian Territory to be enrolled by the Choctaw Indians there? A I don't know.
Q In 1896, when the Commission was here and determining original applications for citizenship under the provisions of the Act of June 10, 1896, did you or did anyone for you make application to the Commission for citizenship in the Choctaw Nation? A No, I think not.
Q Have you ever been admitted to citizenship in the Choctaw Nation by either the Choctaw Tribal authorities, the Commission to the Five Civilized Tribes or by United States Court in Indian Territory?
A No.
Q Have you or has anyone for you, before this, ever made application to be enrolled or admitted as a member of the Choctaw Tribe of Indians? A Nowhere except at Decatur; my father made application for me.
Q When was that? A About two years ago.

This applicant is the identical Columbus Tubbee, the son of Willis and Martha Tubbee for whom application was made for identification as a Mississippi Choctaw by his father, Willis Tubbee, at Decatur, Mississippi, February 7, 1899. His name appears on Mississippi Choctaw Card, No. 393, and upon the schedule annexed to the Commission's report, of March 10, 1899, as to the identification of Mississippi Choctaws, page 88, Roll No. 1403, as Columbus Tubbee.

- Q You are now making application for identification as a Mississippi Choctaw, is that correct? A Yes.
- 1

- Q Applying for yourself alone? A Yes.
- Q Do you claim your rights under the provisions of the fourteenth article of the treaty of 1830? A Yes.
- Q Did you ever receive any benefits as a Choctaw Indian? A No.
- Q Have any of your ancestors or forefathers ever received any benefits as Choctaw Indians? A I don't know.
- Q What is the name of your father, or ancestor, who was living here in Mississippi in 1830? A Stubbee.
- Q Who was that? A Grandfather.
- Q Was he living here in 1830? A I reckon.
- Q Did any of your ancestors remove from the territory occupied by the Choctaw Tribe of Indians in Mississippi and Alabama to the present Choctaw Nation in the Indian Territory at the time of the removal of the other members of the Choctaw Tribe of Indians from 1833 to 1838? A No sir.
- Q Did any of your ancestors ever claim any land here in Mississippi as beneficiaries under the provisions of the fourteenth article of the treaty of 1830? A I don't know.
- Q As far as you know, your ancestors on both your mother's and father's side always lived here in Mississippi? A I have heard so; people living in Mississippi told me so.
- Q As far as you know, or have heard, your ancestors always lived in Mississippi? A Yes.
- Q Is there any additional statement that you want to make in support of your application? A No.
- Q Have you any documentary evidence, affidavits, written testimony of any description, copies of records, deeds or patents, or any proper papers, showing that your ancestors were ever recognized members of the Choctaw Tribe of Indians, or that they have complied or attempted to comply with the provisions of the fourteenth article of the treaty of 1830 or that they have ever received any benefits under that article of that treaty? A I don't know.
- Q Have you any such papers with you now? A No.
- Q Were you ever known by any other name than Columbus Tubbee? A No.

The applicant in this case is to all appearances a full blood Choctaw Indian, unable to speak the English language and the examination has been conducted through a sworn Choctaw interpreter. From his testimony it appears that he and his ancestors have always lived in the State of Mississippi and they never received any benefits as Choctaw Indians from either the Choctaw Tribal Government or from the United States. Applicant has no knowledge of any compliance by his ancestors with the provisions of the fourteenth article of the treaty of 1830.

The decision of the Commission as to your application for identification as a Mississippi Choctaw will be determined at the earliest possible date and report of the same made to the Secretary of the Interior, conformable to the provisions of the 21st Section of the Act of Congress of June 28, 1898 and a copy of such decision will be mailed to you at your post-office address as given in your testimony.

Ira S. Niles, having been first duly sworn, upon his oath states that as stenographer to the Commission to the Five Civilized Tribes he reported in full all proceedings had in the above entitled cause on the 20th day of April, 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes of said proceedings on said date.

Ira S. Niles

Columbus Tabbee----3

Subscribed and sworn to before me this 30th day of April A.D.1901,
at Meridian, Mississippi.


Notary Public.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

Cw.
In the matter of the application of Columbus Tubbee
for identification as a Mississippi Choctaw---M.C.R. 1971.

---D E C I S I O N ---

It appears from the record herein that application for identification as a Mississippi Choctaw was made to this Commission on April 30, 1901, by Columbus Tubbee for himself, under the following provision of the Act of Congress approved June 28, 1898 (30 Stats. 495):

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto and make report to the Secretary of the Interior."

From the evidence submitted in support of said application it appears that the applicant is a full blood Mississippi Choctaw Indian.

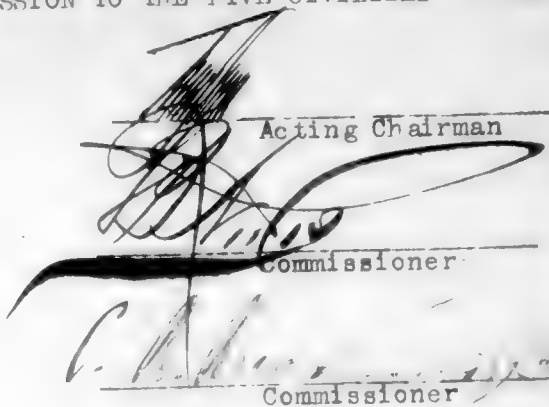
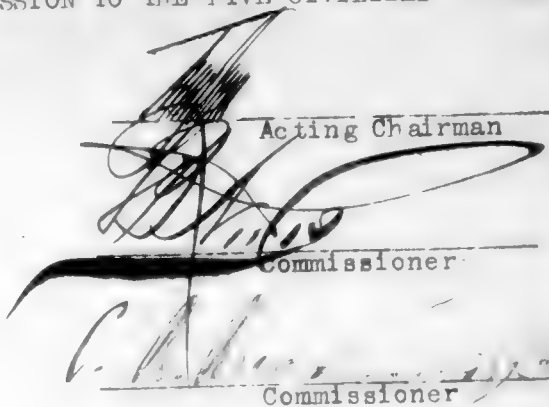
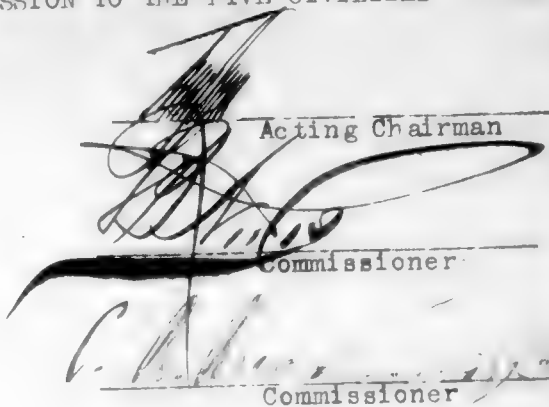
Section forty-one of the Act of Congress entitled "An Act to ratify and confirm an agreement with the Choctaw and Chickasaw tribes of Indians, and for other purposes" approved July 1, 1902, (32 Stats. 641) and ratified by the Choctaw and Chickasaw Nations

September 25, 1902, provides as follows:

"The application of no person for identification as a Mississippi Choctaw shall be received by said Commission after six months subsequent to the date of the final ratification of this agreement and in the disposition of such applications all full blood Mississippi Choctaw Indians and the descendants of any Mississippi Choctaw Indians whether of full or mixed blood who received a patent to land under the said fourteenth article of the said treaty of eighteen hundred and thirty who had not moved to and made bona fide settlement in the Choctaw-Chickasaw country prior to June twenty-eighth, eighteen hundred and ninety-eight, shall be deemed to be Mississippi Choctaws, entitled to benefits under article fourteen of the said treaty of September twenty-seventh, eighteen hundred and thirty, and to identification as such by said Commission, but this direction or provision shall be deemed to be only a rule of evidence and shall not be invoked by or operate to the advantage of any applicant who is not a Mississippi Choctaw of the full blood, or who is not the descendant of a Mississippi Choctaw who received a patent to land under said treaty, or who is otherwise barred from the right of citizenship in the Choctaw Nation, all of said Mississippi Choctaws so enrolled by said Commission shall be upon a separate roll."

It is, therefore, the opinion of this Commission that Columbus Tubbee should be identified as a Mississippi Choctaw, and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES


Acting Chairman

Commissioner

Commissioner

Muskogee, Indian Territory

FEB 14 1903

OPY.

M.C.R. 1971

Muskogee, Indian Territory, February 21, 1903.

Hansfield, McMurray & Cornish,

Attorneys for the Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:-

Enclosed herewith you will find a copy of the decision of the Commission rendered February 14, 1903, identifying Columbus Tubbee as a Mississippi Choctaw Indian under the provisions of the forty-first section of the act of Congress approved July 1, 1902, (32 Stats. 641).

You are hereby advised that you will be allowed fifteen days from the date hereof, in which to file with this Commission such protest as you desire to make against the action of the Commission in identifying the said Columbus Tubbee as a Mississippi Choctaw, and make satisfactory proof of service of said protest upon the applicants herein.

If you fail to file such protest within the time allowed, the names of the applicants herein will be placed upon the schedule of duly identified Mississippi Choctaws now being prepared by this Commission.

Respectfully,

James D. Doby.

~~James D. Doby~~ Chairman

Registered
Enclosure C.H. 29

M.C.R. 1971

COPY.

Muskogee, Indian Territory, March 11, 1903.

Columbus Tubbee,

Here, Mississippi.

Dear Sir:

Enclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered February 14, 1903, identifying you as a Mississippi Choctaw Indian under the provisions of section 41 of the act of Congress approved July 1, 1902 (32 Stats., 641).

If you remove to the Choctaw-Chickasaw country, Indian Territory, before August 14, 1903, you will have six months from that date, or until February 14, 1904, within which to make proof of such removal and settlement at the office of the Commission at Atoka, Choctaw Nation, or Tishomingo, Chickasaw Nation.

Respectfully,

Registered

Enclosure 1971

Jane Birby
Chairman.

For Identification as a Mississippi Choctaw.

Date APR 30 1901

Name Columbus Tubbee.

Age 21. Blood full.

Post Office Vero, Miss.

Father: Willis Tubbee - ✓

Mother: Susie Tubbee - ✓

Claims through both parents

Claims for himself none.

Children:

(In Mississippi Choctaw
 Band # 513; Testimony of
 [illegible])

Stenographer:

J. S. Niles.

Choctaw MCR 1972

Susan Parker

MCR 1972

REFUSED

Parker

CANCELLED

DECISION PREPARED

Choctaw MCR 1973

Charlie Shumake

MCR 1973

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

The within record is in the matter of the application
of Charlie Shumake for identification
as a Mississippi Choctaw

M.C.R. 1973

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

In the matter of the application of Charlie Shumake
for identification as a Mississippi Choctaw, M.C.R. 1973

I N D E X

	Page
Original application of Charlie Shumake to the Dawes Commission for identification as a Mississippi Choctaw-----	1
Decision of the Commission identifying Charlie Shumake as a Mississippi Choctaw	3

173

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
Meridian, Mississippi, April 30, 1901.

In the matter of the application for identification as a Mississippi Choctaw of Charlie Shumake.

Said Charlie Shumake, being first duly sworn, testified as follows:-

Examination by the Commission.

- Q What is your name? A Charlie Shumake.
- Q What is your age? A Twenty-eight.
- Q What is your postoffice address? A Enterprise.
- Q What County is that in? A Clark.
- Q How long have you lived in Mississippi? A Lived here all my life.
- Q Born here? A Yes sir.
- Q Never have lived anywhere else? No.
- Q What is your father's name? A Bill Shumake.
- Q Is your father living? A Yes sir.
- Q Is he a full blood Choctaw? A Yes sir.
- Q What is your mother's name? A Liza.
- Q Is she a full blood Choctaw? A Yes sir.
- Q Is she living? A Yes sir.
- Q Are you a full blood Choctaw? A Yes sir.
- Q Did your mother and father always live here in Mississippi? A Yes sir.
- Q Are you married? A No sir.
- Q Have you ever been married? A No sir.
- Q Making this application then solely for yourself, are you? A Yes sir.
- Q Have you any evidence showing that your mother and father were ever recognized members of the Choctaw Tribe of Indians? A I don't know.
- Q Is your name on any of the tribal rolls of the Choctaw Nation in the Indian Territory? A I don't suppose so.
- Q Did you ever apply to the Choctaws in the Indian Territory to be enrolled with the Tribe out there? A No sir.
- Q Five years ago, in 1896, when the Commission was here determining applications for citizenship in the Choctaw Nation, under the Act of Congress of June 10, 1896, did you or did anyone for you make application to the Commission at that time? ~~XXXXXXXXXX~~
- A No sir. I didn't.
- Q Have you ever been admitted to citizenship in the Choctaw Nation by the Choctaw Tribal authorities, the Commission to the Five Civilized Tribes or the United States Court in Indian Territory? A No sir.
- A Have you ever, before this, or has anyone for you ever made application to either the Choctaw authorities or to the United States to be enrolled or admitted to citizenship as a Choctaw? A No sir.
- Q This is the first application you have ever made? A Yes sir.
- Q You are now making application for identification as a Mississippi Choctaw? A Yes sir.
- Q Do you claim your rights as a beneficiary under the provisions of the fourteenth article of the treaty of 1830? A I don't know, sir, I guess so.
- Q Have you ever received any benefits as a Choctaw Indian? A No sir.
- Q Have any of your ancestors or forefathers ever received any benefits as Choctaw Indians? A I don't know, sir.
- Q As far as you know, have your ancestors, your forefathers, your mother's and father's people, always lived here in Mississippi? A I guess they have.
- Q Did any of them ever remove from here to the Indian Territory at the time of the removal of the other members of the Choctaw

Tribe of Indians out there from 1833 to 1838? A No sir.
Q Did any of your ancestors or foreparents ever claim or receive any land in Mississippi as beneficiaries under the provisions of the fourteenth article of the treaty of 1830 between the United States Government and the Choctaw Tribe of Indians? A I couldn't tell you about that; don't know anything about old times.
Q You are making this application simply for yourself, are you?
A Yes sir.
Q Is there any additional statement that you desire to make, any remarks about your ancestors, your foreparents being recognized as Choctaw Indians? A Yes sir.
Q What is it? Well x x x x
Q Is there anything more you want to say about your foreparents? Do you know anything about their ever being recognized as Choctaws?
A No sir, I don't know.
Q Have you any documentary evidence, affidavits, written testimony, copies of records, deeds or patents, or any proper papers, that would show that your ancestors were ever recognized in any official manner as members of the Choctaw Tribe of Indians or that they ever complied or attempted to comply with the provisions of the fourteenth article of the treaty of 1830 or that they ever received any benefits under that article of that treaty? A No sir, I don't know anything about it.
Q You speak the Choctaw language do you? A Yes sir, I can speak it.

The applicant in this case is to every appearance a Choctaw Indian and speaks the Choctaw language. From his testimony it appears that he and his ancestors have always resided in the State of Mississippi and that they have never received any benefits as Choctaw Indians from either the Choctaw Tribal authorities or the United States Government. The applicant has no knowledge of any compliance by his ancestors or forefathers with the provisions of the 14th article of the treaty of 1830.

The decision of the Commission as to your application for identification as a Mississippi Choctaw will be determined at the earliest possible date and report of the same made to the Secretary of the Interior conformable to the provisions of the 21st Section of the Act of Congress of June 28, 1898, and a copy of such decision will be mailed to you at your postoffice address as given in this testimony.

Ira S. Niles, having been first duly sworn, upon his oath states that as stenographer to the Commission to the Five Civilized Tribes he reported in full all proceedings had in the above entitled cause on the 30th day of April, 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes of said proceedings on said date.

Subscribed and sworn to before me this 1st day of May, A.D. 1901, at Meridian, Mississippi.


Notary Public.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

Cow.

In the matter of the application of Charlie Shumake
for identification as a Mississippi Choctaw, M.C.R. 1973.

---DECISION---

It appears from the record herein that application for
identification as a Mississippi Choctaw was made to this Commission
on April 30, 1901, by Charlie Shumake for himself, under the
following provision of the Act of Congress approved June 28, 1898
(30 Stats. 495):

"Said Commission shall have authority to determine the
identity of Choctaw Indians claiming rights in the Choctaw
lands under article fourteen of the treaty between the United
States and the Choctaw Nation, concluded September twenty-
seventh, eighteen hundred and thirty, and to that end may
administer oaths, examine witnesses and perform all other acts
necessary thereto and make report to the Secretary of the
Interior."

From the evidence submitted in support of said application
it appears that the applicant is a full blood Mississippi Choctaw
Indian.

Section forty-one of the Act of Congress entitled "An Act
to ratify and confirm an agreement with the Choctaw and Chickasaw
tribes of Indians and for other purposes" approved July 1, 1902,

(32 Stats. 641) and ratified by the Choctaw and Chickasaw Nations September 25, 1902, provides as follows:

"The application of no person for identification as a Mississippi Choctaw shall be received by said Commission after six months subsequent to the date of the final ratification of this agreement and in the disposition of such applications all full blood Mississippi Choctaw Indians and the descendants of any Mississippi Choctaw Indians whether of full or mixed blood who received a patent to land under the said fourteenth article of the said treaty of eighteen hundred and thirty who had not moved to and made bona fide settlement in the Choctaw-Chickasaw country prior to June twenty-eighth, eighteen hundred and ninety-eight, shall be deemed to be Mississippi Choctaws, entitled to benefits under article fourteen of the said treaty of September twenty-seventh, eighteen hundred and thirty, and to identification as such by said Commission, but this direction or provision shall be deemed to be only a rule of evidence and shall not be invoked by or operate to the advantage of any applicant who is not a Mississippi Choctaw of the full blood, or who is not the descendant of a Mississippi Choctaw who received a patent to land under said treaty, or who is otherwise barred from the right of citizenship in the Choctaw Nation, all of said Mississippi Choctaws so enrolled by said Commission shall be upon a separate roll."

It is, therefore, the opinion of this Commission that Charlie Shumake should be identified as a Mississippi Choctaw, and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES


Acting Chairman

Commissioner


Commissioner

Muskogee, Indian Territory

FEB 14 1903

M.C.R. 1973

Muskogee, Indian Territory, February 21, 1903.

Mansfield, McMurray & Cornish,

Attorneys for the Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:

Enclosed herewith you will find a copy of the decision of the Commission rendered February 14, 1903, identifying Charlie Shumake as a Mississippi Choctaw Indian under the provisions of the forty-first section of the act of Congress approved July 1, 1902, (32 Stats., 641).

You are hereby advised that you will be allowed fifteen days from the date hereof, in which to file with this Commission such protest as you desire to make against the action of the Commission in identifying the said Charlie Shumake as a Mississippi Choctaw, and make satisfactory proof of service of said protest upon the applicant herein.

If you fail to file such protest within the time allowed, the name of the applicant herein will be placed upon the schedule of duly identified Mississippi Choctaws now being prepared by this Commission.

Respectfully,

Registered.
Enc.-H.M.V.-2

Acting Chairman.

COPY.

M.C.R. 1973

Muskogee, Indian Territory, March 11, 1903.

Charlie Shumake,

Enterprise, Mississippi.

Dear Sir:

Enclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered February 14, 1903, identifying you as a Mississippi Choctaw Indian under the provisions of section 41 of the act of Congress approved July 1, 1902 (32 Stats., 641).

If you remove to the Choctaw-Chickasaw country, Indian Territory, before August 14, 1903, you will have six months from that date or until February 14, 1904, within which to make proof of such removal and settlement at the office of the Commission at Atoka, Choctaw Nation, or Tishomingo, Chickasaw Nation.

Respectfully,

James T. H. H.

SIGNED,

Chairman.

Registered.

Enc. 1973



97/97

Not claimed

Charlie Shumake,

Enterprise, Mississippi.



Department of the Interior.

Commission to the Five Civilized Tribes,

MUSKOGEE, IND. TER.

OFFICIAL BUSINESS.

Penalty for private use, \$300.

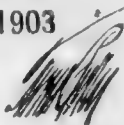
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DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE EXTINCTED TRIBES.

FILED

APR 20 1903



CHAIRMAN



REGISTERED
APR 20 1903
SARGE, IND. TERR.

374

No. 1973

For Identification as a Mississippi Choctaw.

Date APR 30 1901

Name Charlie Shumake.

Age 28. Blood full

Post Office Enterprise, Miss.

Father: Bill Shumake - ✓

Mother: Liza Shumake - ✓

Claims through both parents.

Children:

Claims for himself alone.

Stenographer

J. J. Niles

CHARLES SCOTT
Charlie Shamake

IDENTIFIED

DECISION RENDERED FEB 11 1903

WARDEN
ATTORNEY T. L. STAN AND
CHICKASAW NATIONS FEB 21 1903

COPY OF DECISION FORWARDED
APPLICANT

MAR 11 1903

Choctaw MCR 1974

Charlie Allen

See MCR 1862

MCR 1974

MISSISSIPPI CHOCTAW
Charlie Allen

REFUSED.

DECISION RENDERED. APR 15 1902

NOTICE OF DECISION MAILED APPLICANT.

APR 23 1902

NOTICE OF DECISION FORWARDED
ATTORNEY FOR APPLICANT

APR 23 1902

NOTICE OF DECISION FORWARDED
FOR CHOCTAW AND MISSISSIPPI NATIONS.

APR 23 1902

NOTICE OF DECISION FORWARDED DEPARTMENT.

APR 23 1902

NOTICE OF DECISION FORWARDED DEPARTMENT.

JUN 5 1902

NOTICE OF DECISION FORWARDED DEPARTMENT.

JUN 17 1902

NOTICE OF DECISION FORWARDED DEPARTMENT.

JUN 17 1902

NOTICE OF DECISION FORWARDED DEPARTMENT.
FOR CHOCTAW AND MISSISSIPPI NATIONS.

1902

REFER TO M. C. R. 1862

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
Meridian, Mississippi, April 30, 1901.

In the matter of the application for identification as a Mississippi Choctaw of Charlie A llen.

Said Charlie Allen, being first duly sworn, testified as follows:-

Examination by the Commission.

- Q What is your name? A Charlie Allen.
Q What is your age? A Twenty-three the 11th of this month.
Q What is your postoffice address? A Been staying at Peplarville; am staying there yet but am going to have my mail sent to Hale.
Q What County is that? A Clark County.
Q How long have you lived in Mississippi? A Ever since I can recollect.
Q Was you born here? A Yes sir.
Q What is your father's name? A Alex Allen.
Q Is your father living? A Yes sir.
Q Is he a Choctaw Indian? A No sir.
Q What is he? A A negro.
Q Was he ever a slave? A Yes sir.
Q What is your mother's name? A Candies Allen.
Q Is your mother living? A Yes sir.
Q Is she a Choctaw Indian? A Yes sir.
Q How much Choctaw is your mother? A I should say she is a half Choctaw Indian.
Q Has she any negro blood? A Yes sir.
Q Was she ever a slave? A Yes sir.
Q How much Choctaw blood do you claim? A I claim a quarter.
Q Did your mother always live here in Mississippi? A Yes sir.
Q Have you any evidence showing that she was ever a recognized member of the Choctaw Tribe of Indians in Mississippi? A No sir, I couldn't tell that.
Q Are you married? A No sir.
Q Have you ever been married? A No sir.
Q Making this application solely for yourself? A Yes sir.
Q Is your name on any of the tribal rolls of the Choctaw Nation in the Indian Territory? A No sir, I guess not.
Q Have you ever applied to the Choctaw Tribal authorities in the Indian Territory to be enrolled? A No sir.
Q In 1896, under the act of Congress of June 10, 1896, did you make application to the Commission to the Five Civilized Tribes for citizenship in the Choctaw Nation? A No sir.
Q Have you ever been admitted to citizenship in the Choctaw Nation by the Choctaw Tribal authorities, the Commission to the Five Civilized Tribes or by the United States Court in the Indian Territory?
A I don't know.
Q This is the first application you ever made of any description?
A Yes sir.
Q You are now making application for identification as a Mississippi Choctaw? A Yes sir.
Q Do you claim your rights as a beneficiary under the provisions of the fourteenth article of the treaty of 1830? A I don't know. I don't understand.
Q The treaty of 1830 was made between the United States and the Choctaw Indians, providing for the removal of the Choctaws in Mississippi to the Indian Territory.

The fourteenth article of the treaty, referred to, provided that- "Each Choctaw head of a family being desirous to remain and become a citizen of the states shall be permitted to do so, by signifying his inten-

tion to the Agent within six months from the ratification of this treaty, and he or she shall thereupon be entitled to a reservation of one section of six hundred and forty acres of land, to be bounded by sectional lines of survey; in like manner shall be entitled to one half that quantity for each unmarried child which is living with him ever ten years of age; and a quarter section to such child as may be under ten years of age, to adjoin the location of the parent. If they reside upon said lands intending to become citizens of the states for five years after the ratification of this treaty, in that case, a grant in fee simple shall issue; said reservation shall include the present improvement of the head of the family, or a portion of it. Persons who claim under this article shall not lose the privilege of a Choctaw citizen, but if they ever remove are not entitled to any portion of the Choctaw annuity."

Q Have you ever received any benefits as a Choctaw Indian?

A No sir.

Q Have any of your ancestors ever received any benefits as Choctaws? A No sir.

Q What is the name of your ancestor, or ancestors, who resided here in Mississippi in 1830 at the time of the treaty of Dancing Rabbit Creek was entered into between the United States and the Choctaw Indians? A I don't know what you are talking about.

Q Did any of your ancestors remove to the Indian Territory at the time of the removal of the other members of the Choctaw Tribe of Indians from 1833 to 1838? A Not that I know of.

Q Did any of your ancestors, within six months after the ratification of the treaty of 1830 signify to the United States Indian Agent of the Choctaw Indians in Mississippi of their intention to remain in Mississippi and become citizens of the United States?

A Not as I know of.

Q Did any of your ancestors ever claim or receive any land in Mississippi as beneficiaries under the provisions of the fourteenth article of the treaty of 1830? A Well, my father he homesteaded some land under the homestead law.

Q Do you understand the question? A I don't know, sir. He homesteaded.

Q When? I couldn't exactly tell when he homesteaded.

Q Well, he didn't receive that land as a beneficiary under that treaty, did he? A No sir.

Q Didn't receive that land until after the war, did he? A No sir.

Q Until after he was set free? A Yes sir, after he was set free.

Q Do you know anything about your ancestors or forefathers, residents here in Mississippi in 1830? A No sir, I know about my mother's mother.

Q Was she a Choctaw Indian? A No sir, she was a negre.

Q Well, your mother's father was a Choctaw Indian, was he?

A Yes sir.

Q What was his name? A I couldn't tell you now. My mother said his name was John.

Q Is there any additional statement that you want to make in support of this application? A No sir.

Q Have you any documentary evidence, affidavits, written testimony of any description, copies of records, deeds or patents, or any proper papers showing that your ancestors were ever recognized members of the Choctaw Tribe of Indians in Mississippi in 1830 or that they ever complied or attempted to comply with the provisions of the fourteenth article of the treaty of 1830 or that they have ever received any benefits under that article of that treaty?

A No sir.

L. P. Hudson, attorney for applicant, requests that he be allowed thirty days time in which to file other documentary evidence in support of this application.

Permission is granted L. P. Hudson, the attorney for the applicant, to file written evidence in support of this application, provided the same is offered for filing with the Commission within thirty days of the date hereof.

Examination by L.P.Hudson, Attorney for applicant:

- Q Has your mother appeared before this Commission? A Yes sir.
Q You say she is half Choctaw Indian? A Yes sir, that is what she says.
Q Was her father or mother a Choctaw Indian? A Her father.
Q Did you ever see him? A Never did.
Q Do you know whether or not your mother has some evidence of her father being a Choctaw Indian? A No sir, I don't.
Q Are you relying upon the evidence that was offered in her case for evidence in your case? A Yes sir.
Q You know nothing about this personally? No sir, only what she told me.

The applicant in this case is to every appearance a negro and has none of the characteristics of a Choctaw Indian; is unable to speak the Choctaw language; states that both his mother and father were held in slavery, and has no knowledge of any compliance by his ancestors with the provisions of the fourteenth article of the treaty of 1830.

The decision of the Commission as to your application for identification as a Mississippi Choctaw, will be determined at the earliest possible date and report of the same made to the Secretary of the Interior, conformable to the provisions of the 21st section of the Act of Congress of June 28, 1898, and a copy of the same will be mailed to you at your postoffice address as given in your testimony at this time.

Ira S. Niles, having been first duly sworn, upon his oath states that as stenographer to the Commission to the Five Civilized Tribes he reported in full all proceedings had in the above entitled cause on the 30th day of April, 1901, and that the above and foregoing is a full, ~~true~~ true and correct transcript of his stenographic notes of said proceedings on said date.

Subscribed and sworn to before me this 1st day of May, 1901, at Meridian, Mississippi.

Ira S. Niles
[Signature]
Notary Public.

M.C.R. 1974.

COPY.

Muskogee, Indian Territory, April 23, 1902.

Charlie Allen,

Hale, Mississippi.

Dear Sir:

You are hereby advised that on the 13th day of April, 1902, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Julia Thompson, et al., embracing the following applications for identification as Mississippi Choctaws:

Julia Thompson, et al.....	M.C.R. 1862
Candis Allen, et al.....	M.C.R. 1776
Haristor Allen, et al.....	M.C.R. 1774
Indiana Coleman.....	M.C.R. 1778
Margaret Ferrill, et al.....	M.C.R. 1808
Anna Hayes , et al.....	M.C.R. 1808
Jack Ferrill, et al.....	M.C.R. 1811
John Ferrill, et al.....	M.C.R. 1812
Robert Ferrill.....	M.C.R. 1813
Willoughby Thompson.....	M.C.R. 1870
Tobias Book.....	M.C.R. 1869
Julia Turner.....	M.C.R. 1921
Charlie Allen.....	M.C.R. 1974

Said decision, after a review of the evidence submitted, concludes as follows:

*The authority vested in the Commission by the twenty-first section of the act of Congress of June 20, 1898, (30 Stats., 498), is as follows:

C. A., 2.

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto and make report to the Secretary of the Interior."

It is the opinion of the Commission that the evidence in this case is insufficient to determine the identity of Julia Thompson, Candis Allen, John Allen, Minnie Allen, Ella Allen, Della Allen, Pearl Allen, Byrd Allen, Aleck Allen, Early Allen, Banister Allen, Lewis Allen, Annie Allen, Cora Allen, Luther Allen, Indiana Coleman, Margaret Ferrill, Elda Ferrill, Lemuel Ferrill, Charley Ferrill, Emma Hayes, Minnie Hayes, Bamar Hayes, Ollie Hayes, Maggie Hayes, Lucy Hayes, Cicero Hayes, Jack Ferrill, Mary Ella Ferrill, George Ferrill, John Ferrill, Fannie Ferrill, Robert Ferrill, Willoughby Thompson, Tobias Brock, Julia Turner and Charlie Allen, as Choctaw Indians entitled to rights in the Choctaw lands under the provision of law above quoted, and that the application for their identification as such should be refused, and it is so ordered."

You are further advised that the Commission has, on this date forwarded the record in this case to the Secretary of the Interior for review, and you will be informed in due time of such action as may be taken by him.

Yours truly,

(SIGNED).

Tamr Dixey.

Acting Chairman.

Register.

M.C.R. 1974

Muskogee, Indian Territory, June 17, 1902.

Charlie Allen,

Hale, Mississippi.

Dear Sir:-

You are hereby advised that on the 5th day of June, 1902, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of Julia Thompson, et al., of which decision you were advised by registered mail on the 23rd day of April, 1902.

Yours truly,

SENT

James Dixby

Acting Chairman.

For Identification as a Mississippi Choctaw.

Date APR 30 1901

Name Charlie Allen.

Age 23. Blood $\frac{1}{4}$

Post Office Hale, Miss

Father: Alex. Allen - ✓

Mother: Candies Allen - ✓

Claims through mother.

~~Children:~~

Claims for pension.

Stenographer

J. J. Niles

Choctaw MCR 1975

Martha Thomas

MCR 1975

COMMUNICATIONS
MISSISSIPPI, POTAWATOMI
Martha Thomas

W.B. Thomas

COPIES RENDERED. AUG 1909

OCT 23 1902

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

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In the matter of the application of Martha Thomas for
identification as a Mississippi Choctaw, M.C.R.1973.

List of papers forwarded to the Secretary of the Interior
comprising the record in the case of
Martha Thomas.

	(Page)
Original application of Martha Thomas before the Dawes Commission for identification as a Mississippi Choctaw	1
Decision of the Commission denying the application of Martha Thomas for identification as a Mississippi Choctaw	5

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DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
Meridian, Mississippi, April 30, 1901.

In the matter of the application for identification as a Mississippi Choctaw of Martha Thomas. She being duly sworn testified as follows:

EXAMINATION BY COMMISSION.

Q. What is your name? A. Martha Thomas.
Q. What is your age? A. I do not know sir.
Q. About how old are you? A. About 40 I reckon.
Q. Where do you live? A. Rose Hill.
Q. In what County is that? A. Jasper.
Q. In Mississippi? A. Yes sir.
Q. How long have you been living in Mississippi?
A. I have been living in Mississippi ever since I was a
small girl - ever since I can recollect.
Q. You were born in Mississippi? A. Yes sir.
Q. Never lived any where else? A. No sir.
Q. What is your father's name? A. I do not know - I do
not recollect him.
Q. Dont you know anything about him? A. No sir - I have
got people that know him.
Q. What was his name? A. His name was Sam - I dont
know his other name - his given name. He belonged to the Taylors.
Q. Did he go by the name of Sam Taylor? A. Yes sir.
Q. Is your father living? A. No sir, he is dead.
Q. How long has he been dead? A. Lemme me see - he died
one year ago last March.
Q. Your father was a negro? A. Yes sir.
Q. Was he a slave? A. Yes sir.
Q. What was your mother's name? A. Seely.
Q. Seely what? A. Seely Taylor.
Q. Is your mother living? A. No sir, she is dead.
Q. Was she a Choctaw Indian? A. Yes sir, her father
was a Choctaw.
Q. What part Choctaw was your mother? A. She was full
blooded.
Q. How much do you claim? A. I do not know. I just claim
on my mother's side.
Q. How much Choctaw are you? A. I do not know sir. I cant
make that answer because I do not know.
Q. You come before the Commission with the Statement that you
are a Choctaw Indian - your appearance does not indicate it. How
much are you. A. I dont know that - just on my mother's side.
Q. How much was your mother? A. She was full blooded, I
reckon that makes me half.
Q. You think you are half Indian? A. Yes sir.
Q. Can you speak the Choctaw language? A. Yes sir, talk
anything I want.
Q. You can speak the Choctaw language? A. Yes sir.
(Witness excused).

William Simpson, after being duly sworn, testified as follows:

Q. What is your name? A. William Simpson.
Q. How old are you? A. Between 33 and 34.
Q. Where do you live? A. Rose Hill, Mississippi.
Q. Are you a full blooded Choctaw? A. Yes sir.

- Q. Can you speak the Choctaw language? A. Yes sir.
 Q. Do you know this woman? A. Yes sir.
 Q. How long have you known her? A. About ten years.
 Q. You say you can speak the Choctaw language? A. Yes sir.
 Q. Tell what you know about her being recognized and considered as a Choctaw. A. She married a full blooded Choctaw.
 Q. Was she considered as a Choctaw herself, or did they recognize her because she married a Choctaw Indian?
 A. She was recognized as being a Choctaw and belonging to them ever since I knew her.
 Q. Did they consider to have Choctaw Blood, or because she lived with them? A. I do not know about that. She has been recognized as Choctaw ever since I have known her.
 Q. She was married to a full blooded Indian, was she?
 A. Yes sir.

Note: A conversation in the ~~English~~ Choctaw language was carried on between the applicant and this witness.

- Q. Does she speak the Choctaw language well? A. Yes sir.
 (Witness excused)

Applicant recalled.

- Q. Were you ever a slave? A. Yes sir.
 Q. Was your mother ever a slave? A. My mother was, but I was quite small. I married this Indian when I was about 14 years old and have been married ever since. We lived together until death separated us.
 Q. What was the name of the Choctaw you married?
 A. James Thomas.
 Q. He was full blooded? A. Yes sir.
 Q. How long did you live with him? Ever since the surrender until his death. He dies past gone year last March.
 Q. Have you any children by him? A. Yes sir one dead.
 Q. You had one child? A. Yes sir, she is dead.
 Q. You are just making application for yourself?
 A. Yes sir, just for myself.
 Q. Is your name entered on the Choctaw tribal rolls in the Indian Territory? A. I dont know - it aint got no business there. I have not been there.
 Q. Have you ever been admitted to citizenship in the Choctaw Nation by the Choctaw tribal authorities, the Commission to the Five Civilized Tribes, or by the United States Court in Indian Territory? A. No sir.
 Q. Have you ever made application prior to this time to either the Choctaw tribal authorities or to the authorities of the United States to be enrolled or admitted as a citizen of the Choctaw Nation?
 A. No sir, this is the first application.
 Q. This is the first application you have made? A. Yes sir.
 Q. You now make application for identification as a Mississippi Choctaw? A. Yes sir.
 Q. Do you claim your right as beneficiary under the Fourteenth Article of the treaty of 1830 between the United States and the Choctaw Indians.
 Q. Have you ever received any benefit as a Choctaw Indian?
 A. No sir.
 Q. Any of your ancestors ever received any benefits as Choctaw Indians?
 A. No sir.

Q. What is the name of your ancestors-- your fore-parents living here about seventy years ago when the treaty of Dancing Rabbit Creek was entered into between the United States Government and the Choctaw Tribe of Indians? A. I do not know.

Q. Did any of your ancestors move from the State of Mississippi to the Choctaw Nation in the Indian Territory at the time of the removal of the other Choctaw Indians between the years 1833 and 1838? A. No sir.

Q. Did any of your ancestors within six months after the ratification of the treaty of Dancing Creek signify to the United States Indian Agent of the Choctaw Indians in Mississippi their intention to remain in Mississippi and become citizens of the States?

A. Yes sir.

Q. Who? A. My old man lived here.

Q. That us your husband? A. Yes.

Q. Did he signify his intention after the ratification of the treaty of Dancing Creek his intention to remain in Mississippi and become a resident of the States? A. I dont know about that.

Q. Did any of your ancestors ever claim or receive any land in Mississippi as beneficiary under the provisions of the fourteenth Article of the treaty of 1830 between the United States Government and the Choctaw Indians? A. No sir.

Q. Do you know anything of your ancestors farther back than your father and mother? A. No sir.

Q. What was your mother's mother's name? A. I do not know.

Q. Your mother's father's name? A. I do not know.

Q. Which of them was a Choctaw Indian? A. My mother's father.

Q. You do not know who he was? A. No sir.

Q. As far as you know your people have always lived in Mississippi? A. Yes sir.

Q. You are making this application simply for yourself?

A. Just for myself.

Q. Is there any additional statement you desire to make in support of your application. A. No sir, I guess that is all.

Q. Have you any documentary evidence, affidavits, written testimony of any description, copies of records, deeds or patents or any other proper papers showing that any of your ancestors were recognized members of the Choctaw Tribe of Indians in the year 1830 when the treaty of Dancing Rabbit was entered into between the United States Government and the Choctaw Tribe of Indians, or that any of them ever complied with or attempted to comply with the Fourteenth Article of said treaty.

A. I do not know ---

Q. Have you any paper showing that---? A. No sir, I have not any.

L. P. Hudson, Attorney for the applicant, is allowed to file written evidence in support of this application, provided the same is filed with the Commission within thirty days from the date hereof.

The Applicant in this case has none of the appearances of a Choctaw Indian, and she is evidently a negro. It appears from her testimony that both she and her mother were held in slavery, but that when 14 years of age she married a full blooded Choctaw Indian, and lived with him until he died. She speaks the Choctaw language. She has no knowledge of any compliance

by any of her ancestors with the provisions of the Fourteenth Article of the Treaty of 1830.

The decision of the Commission as to the application made by you at this time for identification as a Mississippi Choctaw will be determined at the earliest possible date and report of the same made to the Secretary of the Interior in accordance with the provisions of the twenty first section of the Act of Congress of June 23th, 1898, and a copy of same will be mailed to you at your post office address as given in your testimony.

Adolph Weil, having been first duly sworn upon oath, states that as stenographer to the Commission to the Five Civilized Tribes he reported in full all proceedings had in the above entitled cause on the 30th day of April, 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes of said proceedings on said date.

Adolph Weil
Stenographer

Subscribed and sworn to before me at Meridian,
Mississippi, this 30th day of April, 1901. :

[Signature]
Notary Public.

J. H. R.
C. W.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

---0---

In the matter of the application of Martha Thomas for
identification as a Mississippi Choctaw, M.C.R. 1975.

--: D E C I S I O N :--

It appears from the record herein that application for
identification as a Mississippi Choctaw was made to this Commission
by Martha Thomas for herself, under the following provision of the
act of Congress approved June 28, 1898 (30 Stat., 493):

"Said Commission shall have authority to determine the
identity of Choctaw Indians claiming rights in the Choctaw lands
under article fourteen of the treaty between the United States
and the Choctaw Nation, concluded September twenty-seventh,
eighteen hundred and thirty, and to that end may administer
oaths, examine witnesses and perform all other acts necessary
therein and make report to the Secretary of the Interior."

It also appears that the said applicant claims rights
in the Choctaw lands under article fourteen of the treaty between
the United States and the Choctaw Nation, concluded September twenty-
seventh, eighteen hundred and thirty, by reason of being a descendant
of one Beely Taylor, who is alleged to have been a full blood Choctaw

Indian.

It further appears from the evidence submitted in support of said application, and from the records in the possession of the Commission, that the said applicant has never been enrolled by the Choctaw tribal authorities as a member of the Choctaw Tribe, or admitted to Choctaw citizenship by a duly constituted court or committee of the Choctaw Nation, or by the Commission to the Five Civilized Tribes, or by a decree of the United States Court in Indian Territory, under the provisions of the act of Congress approved June 10, 1896 (29 Stats., 321).

It does not appear from the testimony and evidence offered in support of said application, or from the records in the possession of the Commission relating to persons who complied or attempted to comply with the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and to persons who heretofore were claimants thereunder, that the said Seely Tayler signified (in person or by proxy) to Colonel Wm. Ward, Indian Agent, Choctaw Agency, an intention to comply with the provisions of said article fourteen, or presented a claim to rights thereunder to either of the Commissions authorized to adjudicate such claims by the acts of Congress approved March 3, 1837 (5 Stats., 180) and August 23, 1842 (5 Stats., 513).

It is, therefore, the opinion of this Commission that the evidence herein is insufficient to determine the identity of Martha Thomas as a Choctaw Indian entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of 1830, and that the application for her identification as such should be

(2)

refused, and it is so ordered.

THE COMMISSION TO THE FIVE CIVILIZED TRIBES,



Acting Chairman.

Commissioner.



Commissioner.

Muskogee, Indian Territory,

AUG -9 1902

COPY.

M.C.R. 1975.

Muskogee, Indian Territory, August 9, 1902.

The Honorable,

The Secretary of the Interior.

Sir:

There is transmitted herewith the record in the case of Martha Thomas, an applicant to the Commission for identification as a Mississippi Choctaw, including the decision of the Commission of August 9, 1902.

The Commission has the honor to report that the applicant and the attorneys for the Choctaw and Chickasaw Nations have been fully advised by letter of the action of the Commission, copies of said letters being attached to the record.

Respectfully,

Tamc Bixby.

Acting Chairman.

Though the

Commissioner of Indian Affairs.

1 inclosure.

COPY

M.C.R. 1975.

Muskogee, Indian Territory, August 9, 1902.

Martha Thomas,

Rosehill, Mississippi.

Dear Madam:

You are hereby advised that on the 9th day of August 1902, the Commission to the Five Civilized Tribes rendered a decision in the case of Martha Thomas, an applicant for identification as a Mississippi Choctaw.

The application was made under the provision of the act of Congress of June 28, 1898 (30 Stats., 495) which is as follows:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto, and make report to the Secretary of the Interior."

Said decision concludes as follows:

"It is, therefore, the opinion of this Commission that the evidence herein is insufficient to determine the identity of Martha Thomas as a Choctaw Indian entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of 1830, and that the application for her identification as such should be refused, and it is so ordered."

You are further advised that the Commission has on this date forwarded the record in this case to the Secretary of the In-

M. T. #2.

terior for review and you will be informed in due time of such action as may be taken by him.

Yours truly,

James Bixby.
oting Chairman.

Registered.

COPY.

M.C.R. 1975.

Muskogee, Indian Territory, August 9, 1902.

Mansfield, McMurray & Cornish,

Attorneys for the Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:

You are hereby advised that on the 9th day of August 1902, the Commission to the Five Civilized Tribes rendered a decision in the case of Martha Thomas, an applicant for identification as a Mississippi Choctaw.

The application was made under the provision of the act of Congress of June 28, 1898 (30 Stats. § 495) which is as follows:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto, and make report to the Secretary of the Interior."

Said decision concludes as follows:

"It is, therefore, the opinion of this Commission that the evidence herein is insufficient to determine the identity of Martha Thomas as a Choctaw Indian entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of 1830, and that the application for her identification as such should be refused, and it is so ordered."

You are further advised that the Commission has on this

N. No. & C. #2.

date forwarded the record in this case to the Secretary of the Interior for review and you will be informed in due time of such action as maybe taken by him.

Yours truly,

James Birby.

Acting Chairman.

Land.

Copy.

48768-1902.

DEPARTMENT OF THE INTERIOR,

Office of Indian Affairs.

Washington, October 14, 1902.

The Honorable,

The Secretary of the Interior.

Sir:-

There is transmitted herewith for Departmental action record in the matter of the application for identification as a Mississippi Choctaw of Martha Thomas, in which a judgment denying identification to the applicant was entered by the Commission to the Five Civilized Tribes on August 9, 1902.

The record in this case shows that the applicant claims to be descended from Mississippi Choctaw ancestors, but is unable to give the names of any of them.

While the Commission states that she exhibits trace of Indian blood she is unable to name the ancestor whom she claims resided in Mississippi in 1830; so that not only is she unable to trace her ancestor back to a 14th article Choctaw, but is unable to give any information whatever as to her Choctaw ancestors.

From this recital of the proof in this case it is evident

that there was no possibility of a favorable decision in this case, the proof having utterly failed. I therefore recommend that the decision of the Commission denying identification as a Mississippi Choctaw to Martha Thomas be affirmed.

Very respectfully,
Your obedient servant,

A. C. Tonner,

Acting Commissioner.

E.B.H.(E)

D. C. No. 20110

C O P Y.

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DEPARTMENT OF THE INTERIOR,

BAF

ITD. 6350-1902.

WASHINGTON, October 23, 1902.

L R S.

Commission to the Five Civilized Tribes,

Muskogee, I. T.

Gentlemen:

August 9, 1902, you transmitted the record in the matter of the application of Martha Thomas for identification as a Mississippi Choctaw.

She claims to be a descendant of one Seely Tayler, alleged to have been a full blood Choctaw Indian.

The record fails to show that the applicant was ever admitted or entolled as a citizen of the Choctaw Nation, or that said Seely Tayler complied or attempted to comply with article XIV of the treaty of September 27, 1830, or with either of the acts of March 3, 1837 (5 Stat., 180) and August 23, 1842 (5 Stat., 513). You refused the application on August 9, 1902.

The Acting Commissioner of Indian Affairs forwarded the papers October 14, and recommended your decision be approved.

A copy of his letter is inclosed.

Finding no reason to modify your decision, it is hereby affirmed.

Respectfully,

E. A. Hitchcock,

1 inclosure.

Secretary.

END

M.C.R. 1975

COPY.

Muskogee, Indian Territory, November 7, 1902.

Mansfield, McMurray & Cornish,

Attorneys for the Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:

You are hereby advised that on the 23rd day of October, 1902, the Secretary of the Interior affirmed the decision of the Commission refusing the application of Martha Thomas, for identification as a Mississippi Choctaw, of which decision you were duly advised by mail on the 9th day of August, 1902.

Respectfully,

Samuel D. Doby
Acting Chairman.

M.C.R. 1975

Muskogee, Indian Territory, November 7, 1902.

Martha Thomas,

Roschill, Mississippi.

Dear Madam:

You are hereby advised that on the 23rd day of October, 1902, the Secretary of the Interior affirmed the decision of the Commission refusing the application of Martha Thomas, for identification as a Mississippi Choctaw, of which decision you were duly advised by registered mail on the 9th day of August, 1902.

Respectfully,

Tamie Dixie.

Acting Chairman.

No. 1975

For Identification as a Mississipp Choctaw.

Date APR 30 1901

Name Martha Thomas.

Age 40. Blood $\frac{1}{2}$

Post Office Rosehill, Miss

Father: Sam Taylor - dead.

Mother: Leely Taylor - dead.

Claims through mother.

Children:

Quinn Taylor.

Stenographer

A. B. Weil.

Choctaw MCR 1976

Matilda Moore

MCR 1976

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
Meridian, Mississippi, April 30, 1901.

In the matter of the application for identification as
Mississippi Choctaws of Matilda Moore and her six minor children.
Said Matilda Moore, being first duly sworn, testified
as follows:-

Examination by the Commission.

Q What is your name? A Matilda Moore.
Q How old are you? A Twenty-eight years old, will be in July.
Q Where do you live? A Egypt.
Q Where is that? A That is North of here.
Q That is the name of your postoffice? A Yes sir.
Q What county is that in? A That is in Chickasaw County.
Q How long have you lived in Mississippi? A Have been in Mississippi ever since I was a small child.
Q Was you born here? A No sir.
Q Where was you born? A In Alabama.
Q What part of Alabama? A Sanford, Alabama.
Q What county is that in? I don't know, sir. Lawrence County I think.
Q Did your father and mother always live in Alabama? A Yes sir.
Q What is your father's name? A Henry Hollis.
Q Is your father living? A Yes.
Q Is he a Choctaw Indian? A His father was a Choctaw.
Q How much Choctaw was he? A He says he is half Choctaw.
Q What else was he? A My father?
Q Yes. Was he a negro? A I don't know.
Q Was he a slave? A I don't know.
Q What is your mother's name? A Sarah Hollis.
Q How much Choctaw Indian does she claim to be? A She claims to be half.
Q Is your mother living? A Yes sir.
Q You claim you are Choctaw blood through both of your parents?
A Yes sir.
Q Was your mother a slave? A Yes.
Q How much Choctaw blood do you claim? A I don't know exactly; I reckon I claim about a sixteenth.
Q Have you any evidence showing that your mother and father were ever recognized or considered as members of the Choctaw Tribe of Indians? A Yes.
Q What evidence? A They both say so.
Q Have you any evidence, anything to show that your mother and father were ever recognized as members of the Choctaw Tribe of Indians? A No sir, I haven't anything to show at all.
Q Are you married. A Yes sir.
Q What is your husband's name? A Bill Moore.
Q Is he a negro? A Yes.
Q How old is he? A I don't know.
Q Making any claim for him? A No.
Q Where did you marry him? A I married him in Monroe County.
Q What State? A Mississippi.
Q When were you married? I married in January, I can't tell exactly what time. Here's a paper that'll show you.

The applicant offers in evidence, and which is filed and made a part of the records in this case, certified copy of the marriage certificate of Matilda Hollis to Bill Moore, dated January 14, A.D. 1891.

Q Have you any children under 21 years of age, and unmarried, for whom you desire to make application? A Yes sir, six children.
Q What are their names and ages?

A Mariah Moore.
Q How old is she? A 13 years old.
Q All right? A The next oldest one, his name is Henry Columbus.
Q How old? A He is ten years old.
Q All right? A My next oldest one is named Moses Moore.
Q How old is he? A Seven years old.
Q The next one? A His name is Will Moore.
Q How old? A He is going on six years old.
Q Go ahead? A Next one's name is Ben Moore, he is going on five years old.
Q Go ahead? A The next one is Elisha Moore.
Q How old? A He is a year and six months old.
Q Are you the mother of these six children? A Yes sir.
Q Who is the children's father? A Bill Moore.
Q You had two children then before you were married? A Yes sir.
Q Is he the only man you have lived with? A No sir.
Q Is he the father of these children? A He is the father of these children now.
Q How long did you know Bill Moore before you married him??
A I knew him two or three years.
Q Mariah was born before you knew him? A Yes sir.
Q Who was the real father of Mariah? A Nat Heard.
Q Never was married to him was you? A No sir, I was fooled up on him.
Q These children all living with you now? A Yes sir.
Q Is your name and the names of your children upon any of the tribal rolls of the Choctaw Nation in Indian Territory? A I don't know sir.
Q Did you ever make application to the Choctaw tribal authorities, you or your children, to be enrolled? A No sir.
Q Five years ago, in 1896, under the Act of Congress of June 10, 1896, did you or anyone for you or your children make application to the Commission to the Five Civilized Tribes for citizenship in the Choctaw Nation? A No sir.
Have you or your children ever been admitted to citizenship in the Choctaw Nation by the Choctaw Tribal authorities, the Commission to the Five Civilized Tribes or by the United States Court in Indian Territory? A No sir.
Q Have you, or has anyone for you or these children, prior to this time ever made application to either the Choctaw Tribal authorities or to the authorities of the United States to be admitted to citizenship or enrolled as members of the Choctaw Tribe of Indians?
A No sir.
Q This is the first application you have ever made of any description? A Yes sir.
Q You are now making application for the identification of yourself and your children as Mississippi Choctaws? A Yes sir.
Q Do you claim your rights as beneficiaries under the provisions of the fourteenth article of the treaty of 1830? A Yes sir.
Q Have you ever received any benefits as a Choctaw Indian?
A No sir.
Q Have any of your ancestors ever received and benefits as Choctaw Indians? A I don't know.
Q What is the name of your ancestor, that is your forefather, the people that you descended from who were residents of the State of Mississippi at the time of the treaty of Dancing Rabbit Creek, in 1830, this treaty entered into between the United States and the Choctaw Tribe of Indians? A I don't know.
Q Do you know the names of any of your ancestors who were living here in 1830? A I don't know any of them at all.
Q Did any of your ancestors remove from the territory occupied by the Choctaws in Mississippi to the present Choctaw Nation in Indian Territory at the time of the removal of the Choctaw Indians, from 1833 to 1838? A I heard my father say that his father went.
Q What was the name of your father's father? A Jacob Machett.
Q Was he a Choctaw Indian? A Yes sir, my father said he was.

- Q Have you any evidence of that fact? A No sir, I just have to take his word.
- Q Did any of your ancestors, within six months after the ratification of the treaty of 1830 signify to the United States Indian Agent of the Choctaws in Mississippi of their intention to remain in Mississippi and become citizens of the United States? A I don't know.
- Q Did any of your ancestors ever claim or receive any land in Mississippi as beneficiaries under the provisions of the fourteenth article of the treaty of 1830? A No sir.
- Q Have any of your ancestors ever received any benefits as Choctaw Indians? A No more than my brother Ben Hellis.
- Q What benefits has he ever received as a Choctaw Indian? A I don't know.
- Q Why do you make that statement? A I don't know sir.
- Q What has he said that makes you make that statement? A He only told me that he had received some land.
- Q Where? A I don't know; I couldn't tell you like he told me.
- Q Do you know anything about your mother's and father's people and their parents? A No sir.
- Q Is there any additional statement that you want to make in support of this application? A No sir.
- Q Have you any documentary evidence, affidavits, written testimony of any description, copies of records, deeds or patents, or any proper papers, showing that your ancestors were ever recognized members of the Choctaw Tribe of Indians in Mississippi in 1830 or that they ever complied or attempted to comply with the provisions of the fourteenth article of the treaty of 1830 or that they have ever received any benefits under that article of the treaty? A No sir, I haven't none at all.
- Q Can you speak the Choctaw language? A I don't know sir.
- Q Why don't you know? Can you speak it? A No sir.

The applicant in this case is to every appearance a negro, has none of the characteristics of the Choctaw Indians, is unable to speak the Choctaw language and has no knowledge of any compliance of her ancestors with the provisions of the fourteenth article of the treaty of 1830.

The Decision of the Commission as to your application and the application you make on behalf of your six minor children, for identification as Mississippi Choctaws, will be determined at the earliest possible date and report of the same made to the Secretary of the Interior, conformable to the provisions of the twenty-first section of the Act of Congress of June 28, 1898, and a copy of such decision will be mailed to you to your proper postoffice address as given in this testimony.

Ira S. Niles, having been first duly sworn, upon his oath states that as stenographer to the Commission to the Five Civilized Tribes he reported in full all proceedings had in the above entitled cause on the 30th day of April, 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes of said proceedings on said date.

Subscribed and sworn to before me this 30th day of April, A.D. 1901, at Meridian, Mississippi.

[Signature]
Notary Public.

COPY.

M.C.R. 1976.

Muskogee, Indian Territory, January 17, 1903.

Matilda Moore,

Egypt, Mississippi.

Dear Madam:

You are hereby advised that on the 17th day of January, 1903, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Mariah Edwards, et al., embracing the following applications for identification as Mississippi Choctaws:

 Mariah Edwards, et al. M.C.R. 2036,
 Matilda Moore, et al., M.C.R. 1976.

These applications were made under the provision of the Act of Congress of June 28, 1898 (30 Stats., 495), which is as follows:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses, and perform all other acts necessary thereto, and make report to the Secretary of the Interior."

Said decision concludes as follows:

"It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Mariah Edwards, Sarah Edwards, Henry Edwards, Polly Edwards, Larney Edwards, Henrietta Edwards, Kittie Edwards, Matilda Moore, Mariah Moore, Henry Columbus Moore, Moses Moore, Will Moore, Ben Moore and Elisha Moore, as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the applications for their identification as such should be refused, and it is so ordered."

M. E. # 2.

You are further advised that you will be allowed fifteen days from the date hereof within which to file arguments in this office, and that at the expiration of said time the papers in the case, together with such arguments, will be forwarded to the Secretary of the Interior through the Commissioner of Indian Affairs.

Respectfully,

(SIGNED).

T. B. Neelies.

Commissioner in Charge.

Registered.

M.C.R. 1976

COPY.

Muskogee, Indian Territory, March 27, 1903.

Matilda Moore,

Egypt, Mississippi.

Dear Madam:-

You are hereby notified that on the 20th day of March, 1903, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of Mariah Edwards, et al., of which decision you were advised by registered mail on the 17th day of January, 1903.

Respectfully,

(SIGNED)

Tamr Bixby
Chairman

MISSISSIPPI CHOCTAW
REFUSED.

Matilda Moore et al.

DECISION RENDERED. JAN 17 1903
NOTICE OF DECISION MAILED APPLICANT.

JAN 17 1903

NOTICE OF DECISION FORWARDED TO
ATTORNEY FOR APPLICANTS.

JAN 17 1903

NOTICE OF DECISION MAILED
FOR CHOCTAW AND CHICKASAW APPLICANTS.

JAN 17 1903

RECORD FORWARDED DEPARTMENT.

FEB 2 - 1903

ACTION APPROVED BY SECRETARY OF INTERIOR.

MAR 20 1903

NOTICE OF DEPARTMENTAL ACTION
FORWARDED APPLICANT.

MAR 27 1903

NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEY FOR APPLICANT

MAR 27 1903

NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEYS FOR CHOCTAW
AND CHICKASAW APPLICANTS.

MAR 27 1903

REFER TO M. C. R. 2-2-03

No. 1975

For Identification as a Mississippi Choctaw.

Date APR 30 1901

Name Matilda Moore.

Age 28 Blood 1/16.

Post Office Egypt, Miss.

Father: Henry Hollis - ✓

Mother: Sarah Hollis - ✓

Claims through both parents

HUSBAND:

Bill Moore. - ✓

(no claim for husband).

Children:

Maria Moore 13.

Henry C. " " 10.

Moses " " 7.

Will " " 6.

Ben " " 5.

Elisba " " 1.

(no claim for children).

Stenographer

J. S. Niles.

Choctaw MCR 1977

Mary Jane Hearn

MCR 1977

Sub

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

-----0-----

In the matter of the application of Mary Jane Hearn, et al.,
for identification as Mississippi Choctaws, M. C. R. 1977.

-----0-----

List of papers forwarded to the Secretary of the Interior,
comprising the record in the case of
Mary Jane Hearn, et al.

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Page.

Original application of Mary Jane Hearn, et al., to the Commission to the Five Civilized Tribes, for identification as Mississippi Choctaws,.....	1
Joint ex parte affidavit of M. C. Thoad and H. D. Nichols,.....	4
Ex parte affidavit of Betsey Young,.....	5
Ex parte affidavit of Sarah Jane Clark,.....	6
Ex parte affidavit of J. R. Fleming,.....	7
Final decision of the Commission in the case of Mary Jane Hearn, et al., applicants for identi- fication as Mississippi Choctaws, refusing said application,.....	8

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DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
Meridian, Mississippi, April 30th, 1901.

In the matter of the application for identification as
Mississippi Choctaws of Mary Jane Hearn and her seven minor children.
Said Mary Jane Hearn, being duly sworn, testified as follows:-

Examination by the Commission.

- Q What is your name? A Mary Jane Hearn.
Q How old are you? A Thirty-four.
Q What is your postoffice address? A Carmichael, Clark County, Mississippi.
Q How long have you lived in Mississippi? A Was raised here; moved to Arkansas and was gone a while.
Q Were you born here? A Yes sir.
Q How old were you when you went to Arkansas? A Five.
Q How long did you stay there? A Seven years, about.
Q Been here ever since? A Yes sir.
Q What was your father's name? A Robert Grayson.
Q Is your father living? A No sir.
Q Was he a Choctaw Indian? A No sir.
Q What is your mother's name? A Sarah Jane Clark.
Q Is your mother living? A Yes sir.
Q Is she a Choctaw Indian? A No sir.
Q Are you a Choctaw? A Yes sir.
Q Through your mother or your father? A My mother has been married four times; her second husband was a Grayson.
Q You stated you were a Choctaw Indian, didn't you? A No sir.
Q What do you want to do here then? A I am partly Indian I reckon.
Q Are either your mother or father Choctaws? A No sir.
Q You claim your Choctaw blood through your father? A Yes sir.
Q How much Choctaw blood do you claim? A I don't know how much; well, an eighth I think.
Q Were your mother and father married? A Yes, my father is dead; my mother is a widow.
Q Were they married? A Yes sir.
Q Have you any evidence of your mother's and father's marriage? A Yes sir; I haven't none with me.
Q Have you any evidence of the fact that your mother was ever recognized or considered as a member of the Choctaw Tribe of Indians? A I haven't any with me; I could produce them.
Q Of what description, what kind of evidence? A I could produce them from my Aunt's side.
Q What kind of evidence? A As a Choctaw Indian.
Q Evidence of the fact that your father was ever recognized in any official manner as a member of the Choctaw Tribe of Indians? A Yes sir.
Q How was he ever recognized? A I don't know as I could answer how he was.
Q Are you married? A Yes sir.
Q What is your husband's name? A George Hearn.
Q Making any claim for him? A No sir.
Q Is he a white man? A Yes sir.
Q How old is he? A Thirty-eight.
Q Where did you marry him? A Clarke County, Mississippi.
Q How long ago were you married to him? A Eighteen years ago.
Q Married under a license by a minister? A No sir, he was a magistrate.
Q Did your husband ever make any claim to Indian citizenship? A No sir.
Q Have you ever claimed any rights in any other tribe than the Choctaw? A No sir.

- Q How many children have you under 21 years of age and unmarried?
A Haven't any.
- Q Under 21 years of age ~~at~~ and unmarried? A I have got seven.
- Q What are their names and ages? A The oldest one is named Oliver Hearn.
- Q How old is Oliver? A Fifteen.
- Q The next one? A Mary Effie.
- Q How old is she? A Thirteen.
- Q All right? A The next one is Laura Annie.
- Q How old is she? A She is eleven.
- Q All right? A The next one is George Coit.
- Q How old is he? A He is seven.
- Q The next one? A Sandy.
- Q How old is he? A Six.
- Q All right? A The next oldest one is Leonard, he is three.
- Q The next one is Paul.
- Q How old is Paul? A He is two.
- Q Are you the mother of these seven children? A Yes sir.
- Q Who is the father? A George Hearn.
- Q Father of all seven of them? A Yes sir.
- Q Do all of these children live with you at your home? A Yes.
- Q Is your name and the names of these children upon any of the tribal rolls of the Choctaw Nation in Indian Territory?
A No sir.
- Q Did you or did anyone for you or for these children ever make application to the tribal authorities of the Choctaw Nation to be enrolled as members of that Tribe? A No sir.
- Q In 1896, under the Act of Congress of June 10, 1896, did you or anyone for you or for these children make application to the Commission to the Five Civilized Tribes for citizenship in the Choctaw Nation? A No sir.
- Q Have you or these children ever been admitted to citizenship in the Choctaw Nation by the Choctaw Tribal authorities, by the Commission to the Five Civilized Tribes or by the United States Court in Indian Territory? A No sir.
- Q Is this the first application that you have ever made of any description? A Yes sir.
- Q You are now making application for the identification of your - self and your children as Mississippi Choctaws, is that correct?
A Yes sir.
- Q Do you claim your rights as beneficiaries under the provisions of the fourteenth article of the treaty of 1830? A I guess so.
- Q Did you ever receive any benefits as a Choctaw Indian? A No.
- Q Did any of your ancestors? A None that I know of.
- Q What is the name of your ancestor, or ancestors, who were residents of the old Choctaw Nation in Mississippi and Alabama and acknowledged members of the Choctaw Tribe of Indians in 1830 when the treaty of Dancing Rabbit Creek was entered into between the United States and the Choctaw Indians? A Nancy DeLoch, was my great grandmothers name.
- Q Was she a Choctaw Indian here in Mississippi in 1830?
A I judge she was.
- Q Is she the ancestor through whom you now make your claim to identification as a Mississippi Choctaw? A Yes sir.
- Q Have you any evidence showing that she was a recognized member of the Choctaw Tribe of Indians at that time? A I haven't none with me.
- Q Did any of your ancestors remove from the State of Mississippi to the Choctaw Nation in Indian Territory at the time of the removal of the other members of the Choctaw Tribe of Indians from 1833 to 1838? A None that I know of.
- Q Did any of your ancestors within six months after the ratification of the treaty of 1830 signify to the United States Indian Agent of the Choctaws in Mississippi of their intention to remain in Mississippi and become citizens of the United States?

A Yes sir, I reckon they did.

Q Did any of your ancestors ever claim or receive any land in Mississippi as beneficiaries under the provisions of the 14th article of the treaty of 1830? A No sir, none that I know of.

Q Did any of your ancestors ever receive any benefits as Choctaw Indians? A No sir, none that I know of.

Q Do you know anything of your ancestors being recognized as Choctaw Indians? A No sir, none only my ~~avix~~ aunt and uncle.

Q Who are they? A Graysons.

Q How have they been recognized as Choctaws? A I don't know.

Q Where do they live? A They live in Clark County, Mississippi.

Q Why did you make that statement that they were recognized as members of the Choctaw Tribe of Indians? A What made me?

Q Yes, why did you make that statement? A Well, because I had been taught that there was some Indian blood in me.

Q Can you speak the Choctaw language? A No sir, I think my aunt and uncle could.

Q Is there any additional statement that you want to make in support of this application? A No sir.

Q Have you any documentary evidence, affidavits, written testimony of any description, copies of records, deeds, patents, or any proper papers, showing that your ancestors were ever recognized members of the Choctaw Tribe of Indians in Mississippi in 1830 or that they ever complied or attempted to comply with the provisions of the fourteenth article of the treaty of 1830 or that they have ever received any benefits under that article of that treaty?

A No sir; I could get them though I suppose.

Q How much time do you want in which to get such evidence?

A I could get them up right away.

The Commission has granted the applicant permission to file written evidence in support of this application, provided the same is offered for filing with the Commission within thirty days from the date hereof.

The applicant in this case is apparently white, has none of the appearance or characteristics of the Choctaw Indians, and is unable to speak the Choctaw language. She has no knowledge of any compliance by her ancestors with the provisions of the 14th article of the treaty of 1830.

The decision of the Commission as to your application and the application you make on behalf of your seven minor children, for identification as Mississippi Choctaws, will be determined at the earliest ~~ix~~ possible date and report of the same made to the Secretary of the Interior, conformable to the provisions of the 21st section of the Act of Congress of June 28 1898, and a copy of such decision will be mailed to you to your postoffice address as given in this testimony.

Ira S. Niles, having been first duly sworn, upon his oath states that as stenographer to the Commission to the Five Civilized Tribes he reported in full all proceedings had in the above entitled cause on the 30th day of April, 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes of said proceedings on said date.

Subscribed and sworn to before me this 30th, day of April, A.D.1901, at Meridian, Mississippi.

[Signature]
Notary Public.

10*20
C.W.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

-----:-----

In the matter of the application of Mary Jane Hearn, et al., for identification as Mississippi Choctaws, M C R 1977.

--: D E C I S I O N :--

It appears from the record herein that an application for identification as Mississippi Choctaws was made to this Commission by Mary Jane Hearn for herself and her seven minor children, Oliver, Mary Effie, Laura Annie, George Coit, Sandy, Leonard and Paul Hearn, under the following provision of the act of Congress approved June 28, 1898, (30 Stat., 495):

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses, and perform all other acts necessary thereto and make report to the Secretary of the Interior."

It also appears that all of said applicants claim rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September

twenty-seventh, eighteen hundred and thirty, by reason of being descendants of one Nancy Deloch, who is alleged to have been possessed of some Choctaw blood (degree thereof not stated).

It further appears from the evidence submitted in support of said application and from the records in the possession of the Commission that none of said applicants has ever been enrolled by the Choctaw tribal authorities as a member of the Choctaw tribe, or admitted to Choctaw citizenship by a duly constituted court or committee of the Choctaw Nation, or by the Commission to the Five Civilized Tribes, or by a decree of the United States Court in Indian Territory, under the provisions of the act of Congress approved June 10, 1896, (29 Stat., 321).

It does not appear from the testimony and evidence offered in support of said application, or from the records in the possession of the Commission relating to persons who complied or attempted to comply with the provisions of article fourteen of the treaty of eighteen hundred and thirty, and to persons who heretofore were claimants thereunder, that the said Nancy Deloch, or an ancestor less remote, signified (in person or by proxy) to Colonel Wm. Ward, Indian Agent, Choctaw Agency, an intention to comply with the provisions of said article fourteen, or presented a claim to rights thereunder to either of the Commissions authorized to adjudicate such claims by the acts of Congress approved March 3, 1837, (5 Stat., 100), and August 23, 1842, (5 Stat., 513).

It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of

8.

Mary Jane Hearn, Oliver Hearn, Mary Effie Hearn, Laura Annie Hearn, George Golt Hearn, Sandy Hearn, Leonard Hearn and Paul Hearn as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the application for their identification as such should be refused, and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES,

Tame Dixy.

Acting Chairman.

I. T. H. H. H.

Commissioner.

C. R. Breckinridge.

Commissioner.

Muskogee, Indian Territory,

OCT 25 1902

Muskogee, Indian Territory, June 10, 1901.

Mrs M. J. Hearn,

Germichael, Mississippi.

Dear Madam:

Receipt is hereby acknowledged of your letter of the 20th of May in which you request that the evidence filed by you in support of your claim for identification as a Mississippi Choctaw be accepted by the Commission.

Replying to your letter you are informed that it appears from our records that at Heridian, Mississippi, on April 30, 1901 you personally made application to this Commission for the identification of yourself and seven minor children as Mississippi Choctaws. On May 23, 1901 the Commission accepted and filed in support of your application, the joint affidavit of W.C. Thead and E.D. Nichols. These are the only papers that have been received and filed in support of this application. The Commission has been unable up to this time to take up for consideration and pass upon the merits of this claim and it will probably be some time before any action is taken thereon. When this application is considered and passed upon by the Commission a copy of the decision will be mailed to you stating fully therein the reason for any action that may be taken.

Yours truly,

Muskogee, Indian Territory, August 14, 1901.

Mrs. M. J. Hearn,

Carmichael, Mississippi.

Dear Madam:-

Receipt is hereby acknowledged of your letter of August 6, in which you ask to be advised in regard to affidavits sent in by you for approval.

In reply to your letter you are informed that it appears from our records that on April 30, 1901 Mary Jane Hearn appeared before the Commission at Meridian, Mississippi and applied for identification of herself and seven minor children as Mississippi Choctaws. Since that time there have been filed in this case the affidavits of G.M.Hearn and J.H.Fleming, and joint affidavit of E.C.Thead and E.D.Wichole. This is all the documentary evidence which has been filed in your case.

The Commission has not yet passed upon your application for identification as Mississippi Choctaws. As soon as a decision is rendered copy of the same, stating fully therein the reasons for any action taken, will be mailed to your post office address. If you desire to offer any evidence in support of your application, the

M.J.H. #2.

oral testimony of witnesses, their depositions or affidavist, or any documentary evidence, the same will be accepted and made a part to the record in your case.

Yours truly,

M.C. 277.

Muskogee, Indian Territory, September 12, 1901.

M.J.Hearn,

Carmichael,

Mississippi.

Dear Madam:-

Receipt is hereby acknowledged of your letter of August 27th, with which you enclose certificate of B. H. Donald, Clerk, in regard to the fact that T. F. Arnold, who acknowledged the affidavits in the cases of M.J.Hearn, Polly Bankston, Vicy Collins, Geo. Grayson and Henry Harrison, was a duly qualified and commissioned Justice of the Peace at that time.

You are advised that this certificate has been duly filed and made a part of the records in the matter of the application for identification as Mississippi Choctaws of Mary Jane Hearn et al. If it is desired to have a similar certificate filed with the other cases named in your letter, it will be necessary to send such certificate for each case.

It does not appear from our records that any person by the name of Polly Bankston has ever appeared before the Commission as an applicant for identification as a Mississippi Choctaw. It does appear however, that Mary A. Bankston, fifty-nine years old, of Springs,

M. J. H. #2.

Mississippi, daughter of Chesterfield and Mary A. Grayson, appeared before the Commission at Meridian, Mississippi, May 23rd, 1901, and applied for identification as a Mississippi Choctaw.

Yours truly,

M.C. 1977

Muskogee, Indian Territory, September 13, 1901.

M. J. Hearn,
Carmichael,
Indian Territory.

Dear Madam:-

Receipt is hereby acknowledged of your letter of August 29th, enclosing affidavit of Betsy Young, which you ask to have filed in support of your application for identification as a Mission-
ippi Cheestaw.

The same has been filed and made a part of the records in your case, and will receive consideration in the disposition of your application.

Yours truly,

M.C.1977.

M.C.R. 1977.

Muskogee, Indian Territory, October 25, 1902.

Mansfield, McMurray & Cornish,

Attorneys for Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:-

You are hereby advised that on the 25th day of October, 1902, the Commission to the Five Civilized Tribes rendered a decision in the case of Mary Jane Hearn, et al., applicants to the Commission for identification as Mississippi Choctaws.

This application was made under the provision of the act of Congress of June 28, 1898 (30 Stats., 495) which is as follows:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses, and perform all other acts necessary thereto and make report to the Secretary of the Interior."

Said decision concludes as follows:

"It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Mary Jane Hearn, Oliver Hearn, Mary Effie Hearn, Laura Annie Hearn, George Coit Hearn, Sandy Hearn, Leonard Hearn and Paul Hearn as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the application for their identification as such should be refused, and it is so ordered."

M. MoM. & C.-----2

You are further advised that the applicants in this case will be allowed fifteen days from the date hereof within which to file arguments in this office, and that at the expiration of said time the papers in the case, together with such arguments, will be forwarded for review to the Secretary of the Interior through the Commissioner of Indian Affairs.

Respectfully,

1908

Acting Chairman.

COPY

M.C.R. 1977.

Muskogee, Indian Territory October 26, 1902.

Mary Jane Hearn,

Carmichael, Mississippi.

Dear Madam:-

You are hereby advised that on the 25th day of October, 1902, the Commission to the Five Civilized Tribes rendered a decision in the case of Mary Jane Hearn, et al., applicants to the Commission for identification as Mississippi Choctaws.

This application was made under the provision of the act of Congress of June 26, 1898 (30 Stats., 495) which is as follows:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses, and perform all other acts necessary thereto and make report to the Secretary of the Interior."

Said decision concludes as follows:

"It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Mary Jane Hearn, Oliver Hearn, Mary Effie Hearn, Laura Annie Hearn, George Coit Hearn, Sandy Hearn, Leonard Hearn and Paul Hearn as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the application for their identification as such should be refused, and it is so ordered."

You are further advised that you will be allowed fifteen days from the date hereof within which to file arguments in this

M. J. H.-----2

office, and that at the expiration of said time the papers in the case, together with such arguments, will be forwarded for review to the Secretary of the Interior through the Commissioner of Indian Affairs.

Respectfully,

Registered.

W. C. Bixby.
Acting Chairman.

COPY.

Muskogee, Indian Territory, November 11, 1902.

The Honorable,

The Secretary of the Interior.

Sir:

There is transmitted herewith the record in the case of Mary Jane Hearn, et al., applicants to the Commission for identification as Mississippi Choctaws, including the decision of the Commission of October 25th, 1902.

The Commission has the honor to report that the principal applicant herein and the attorneys for the Choctaw and Chickasaw Nations have been duly advised by letter of the action of the Commission, copies of said letters being attached to the record.

/Respectfully,

(SIGNED)

Lane Kirby

Acting Chairman.

Through the
Commissioner of Indian Affairs.

Enc. M.C.R. 1977.

Miss. Choctaw 1157

Muskogee, Indian Territory, November 11, 1902.

M. J. Hearn,

Carmichael, Mississippi,

Dear Madam:

Receipt is hereby acknowledged of your letter of November 6, in which you state that you do not desire to introduce any argument in your case, and you are advised that on this date the record in the matter of the application of Mary Jane Hearn, et al. goes forward to the Secretary of the Interior for review. You will be advised in due time of such action as may be taken by him.

Respectfully,

Acting Chairman.

(COPY)

D C 5618

DEPARTMENT OF THE INTERIOR.

ITD.1296-1903.

Washington.

EAF.

L.R.S.

February 24, 1903.

Commission to the Five Civilized Tribes,

Muskogee, I. T.

Gentlemen:

November 11, 1902, you transmitted the record in the matter of the application for identification as Mississippi Choctaws, of Mary Jane Hearn and her minor children, Oliver, Mary Effie, Laura Annie, George Coit, Sandy, Leonard and Paul Hearn, including your decision of October 25, 1902, adverse to the applicants.

They claim rights in Choctaw lands under article 14 of the treaty of September 27, 1830, by reason of being descendants of one Nancy Deloach, who is alleged to have been possessed of some Choctaw blood.

The records fail to show that the applicants were ever admitted or enrolled as citizens of the Choctaw Nation, or that said Nancy Deloach or an ancestor less remote complied or attempted to comply with said article 14, or with either of the acts of March 3, 1837 (5 Stat., 180), and August 23, 1842 (5 Stat., 513).

Reporting February 5, 1903, the Acting Commissioner of Indian Affairs recommends that your decision be approved. A copy of

-2-

his letter is inclosed.

Upon careful consideration of the whole record, the Department finds no error in your decision and hereby affirms the same.

Respectfully,

(Signed) Thos. Ryan,

Acting Secretary.

1 inclosure.

(COPY)

Land

DEPARTMENT OF THE INTERIOR,

68304--1902.

Office of Indian Affairs,

Washington, February 5, 1903.

The Honorable,

The Secretary of the Interior.

Sir:-

I have the honor to submit, herewith, for your consideration, the record of the Commission to the Five Civilized Tribes, in the matter of the application of Mary Jane Hearn, for herself and her seven minor children, Oliver, Mary Effie, Laura Annie, George Coit, Sandy, Leonard and Paul Hearn, for identification as Mississippi Choctaws, wherein a decision adverse to the applicants was rendered by the Commission on October 25, 1902.

The testimony in this case shows that the applicants base their claims to identification as Mississippi Choctaws under this application, because of their descent from Nancy Deloch. They claim that their ancestor was a Choctaw Indian and a resident of the Choctaw Nation, in Mississippi, at the time of the making of the Choctaw treaty of 1830.

The Commission rejected the applicants because the name of the party through whom they claim did not appear among the names of those who complied or attempted to comply with the provisions of the 14th

article of the Choctaw treaty of 1830, and for the additional reason that the applicants themselves had never been enrolled as citizens of the Choctaw Nation.

An examination has been made of the records of this office with reference to Nancy Deloch and it is discovered that her name does not appear among the names of those who complied or attempted to comply with the provisions of the 14th article of the Choctaw treaty of 1830.

This being the case it is evident that the decision of the Commission rejecting the applicants was correct, and I concur in that finding and recommend that it be approved.

Very respectfully,

(Signed) A. C. Tonner,

Acting Commissioner.

E.B.H.(E.)

M.C.R. 1977

COPY.

Muskogee, Indian Territory, March 11, 1903.

Mansfield, McMurray & Cornish,
Attorneys for the Choctaw and Chickasaw Nations,
South McAlester, Indian Territory.

Gentlemen:

You are hereby notified that on the 24th day of February, 1903, the Secretary of the Interior affirmed the decision of this Commission refusing the application for identification as Mississippi Choctaws of the several persons included in the case of Mary Jane Hearn, et al., of which decision you were advised by mail on the 25th day of October, 1902.

Respectfully,

(SIGNED)

Jane Bixby.

Chairman.

M.C.D. 1977

COPY.

Muskogee, Indian Territory, March 11, 1903

Mary Jane Hearn,

Carmichael, Mississippi.

Dear Madam:

You are hereby notified that on the 24th day of February, 1903, the Secretary of the Interior affirmed the decision of this Commission refusing the application for identification as Mississippi Choctaws of the several persons included in the case of Mary Jane Hearn, et al., of which decision you were advised by registered mail on the 25th day of October, 1902.

Respectfully,

M.C.D.

Tams Bixby.

Chairman.

7-52-1-01, M.J. Hearn,
Carmichael, Miss.

NOI. 1907 for Jane Hearn,
et al

On April 30, 1901, Mary Jane Hearn appeared before the Commission at Meridian, Mississippi, and applied for identification of herself and seven minor children as Mississippi Choctaws. No decision has been rendered in this case. No evidence is on file in this case except joint affidavit of E. C. Thead and E. D. Nichols, which bears the file stamp of the Commission as of date May 23, 1901, and was forwarded to this office by the office at Meridian, and receipt was acknowledged to that office, but not to applicant. No other affidavits have been received at this office, and there seem to be none inclosed with her letter.

Attest, June 8, 1901.

At

COMMISSIONERS

HENRY L. DAWES

TAMM LIVERY,

ARCHIBALD S. MCKENNA

THOMAS J. NEWMAN

ALLISON L. AYLESWORTH, *Secretary.*

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

For Identification as a Mississippi Choctaw.

Date APR 30 1901

Name Mary Jane Hearn.

Age 34. Blood 1/8.

Post Office Carmichael, Miss.

Father: Robert Grayson - dead.

Mother: Sarah Jane Clark - ✓

Claims through Father

HUSBAND:

George Hearn - 38
(no claim for husband).

Children:

Oliver Hearn	15
Mary C. " "	13
Laura A. " "	11
George C. " "	7
Sandy " "	6
Leonard " "	3
Paul " "	2

Stenographer

A. S. Miles.

MISSISSIPPI

Mary Jane

REFUSED

DECISION RENDERED

OCT

1902

NOTICE OF DECISION IN MATTER OF APPLICANT

OCT 25 1902

NOTICE OF DECISION IN MATTER OF APPLICANTS
FOR CHOCTAW AND CHICKASAW NATIONS

OCT 25 1902

RECORD OF DECISION IN MATTER OF APPLICANT

OCT 25 1902

ACTION IN MATTER OF APPLICANTS IN INTERIOR

FEB 21 1903

NOTICE OF DECISION IN MATTER OF APPLICANTS
FOR CHOCTAW AND CHICKASAW NATIONS

MAR 11 1903

NOTICE OF DEPARTMENTAL ACTION
FORWARD TO ATTORNEYS FOR CHOCTAW
AND CHICKASAW NATIONS.

MAR 11 1903

Choctaw MCR 1978

Nellie Howard

MCR 1978

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

-----|-----
In the matter of the application of Nellie Howard, for
identification as a Mississippi Choctaw, M C R 1978.

List of papers forwarded to Secretary of the Interior
comprising the record in above entitled case.

Original application of Nellie Howard
to the Dawes Commission for identifi-
cation as a Mississippi Choctaw.....1
Decision of the Commission refusing the
application of Nellie Howard, for iden-
tification as a Mississippi Choctaw.....4

-----|-----

Department of the Interior,
Commission to the Five Civilized Tribes,
Meridian, Mississippi, April 30, 1901.

In the matter of the application for identification as a
Mississippi Choctaw of Nellie Howard. She being duly sworn,
testified as follows.

Examination by the Commission.

- Q. What is your name? A. Nellie Howard.
Q. How old are you? A. About 50 years old.
Q. What is your post office address? A. Horne, Mississippi.
Q. What County is it in? A. I dont know what County.
Q. Dont you know what County it is in? A. Clarke County.
I do not know I have been living in Alabama all my life.
Q. How long have you lived in Mississippi? A. Been living
here about 7 years.
Q. Before that time where did you live? A. Alabama.
Q. What part of Alabama? A. Down by Melvin - way down
there. Down by Keyser Hill.
Q. How long have you lived there? A. Ever since I been in
this world.
Q. You were born there? A. Yes sir.
Q. What was your father's name? A. His name is Stephen.
Q. Stephen what? A. Stephen Yates.
Q. Is your father living? A. No sir, he is dead.
Q. Was your father a choctaw Indian? A. Yes sir he was.
Q. How much Choctaw was your father? A. He is half.
Q. What else was he? A. I dont understand you.
Q. You say he was half Indian what else was he-a negro?
A. Yes sir.
Q. Was he a slave? A. Yes sir.
Q. What is your mother's name? A. Mariah Mitchell.
Q. Is your mother living? A. No sir, she is dead.
Q. Was your mother a Choctaw Indian? A. I could not say about
her being Indian. My old mistress bought her when she was about 15
years old. That is what she told us. I do not know nothing about
what Indian she was but she was Indian. I could not prove it. I
could write and prove she was Indian - by writing to my mistress.
Q. Is your mother a negro? A. She had Indian in her.
Q. Was she a slave? A. Yes sir.
Q. How much Choctaw blood do you claim? A. I do not know
how much I claim. I cannot tell how much is in me. My Grandfather
was Choctaw-----
Q. I want to know how much Choctaw is in you, how much do you
claim? A. I do not know how much is in me. I was born and bred
in Choctaw.
Q. What I want to know is how much Choctaw do you claim?
A. It ought to be one-third.
Q. You are one-third? A. Yes sir.
Q. Can you speak the Choctaw language? A. No sir, I
dont know nothing about the Indian language.
Q. Were your mother and father married? A. Yes sir, they
were married.
Q. How were they married? A. They were married before I was
born - just like other folks were married.
Q. Have you any evidence of the fact of your mothers and father's

marriage? A. They were married just like every body else. I know they were man and wife ever since I could recollect.

Q. How long did they live together as man and wife?
A. a long time - they had grown children.

Q. Are you married? A. Yes sir.

Q. Are you making any application for your husband?
A. No sir.

Q. Have you any children? A. No sir.

Q. Just applying for yourself? A. Yes sir.

Q. Is your name entered on the Choctaw tribal rolls in the Indian Territory? A. I do not understand what you say.

Q. Have you ever been enrolled by the Choctaws in the Indian Territory? A. Not before today.

Q. Have you been enrolled today? A. Right now.

Q. Have you ever made application to the Choctaw tribal authorities in the Indian Territory to be enrolled as members of that tribe?
A. No sir.

Q. Did you make any application in 1896 to this Commission for citizenship in the Choctaw Nation under the Act of Congress of June 10th, 1896? A. No sir, I have never made none before.

Q. Have you ever been admitted to citizenship in the Choctaw Nation by the Choctaw tribal authorities, the Commission to the Five Civilized Tribes, or by United States Courts in the Indian Territory?
A. No sir.

Q. This is the first application of any description you have ever made? A. Yes sir.

Q. You now make application for identification as a Mississippi Choctaw? A. I come out of Alabama.

Q. What is your object in coming here? A. I dont know. I heard that people having indian blood to come, and I just come to see.

Q. What kind of application are you making? A. What do you want me to say.

Q. Tell me what your idea is in coming here - what you intend to claim? A. I came because I was satisfied that I had Indian blood in me.

Q. Are you claiming your rights as a Mississippi Choctaw?
A. I done understand you.

Q. Are you claiming your rights as a beneficiary under the Fourteenth Article of the treaty of 1830? A. I guess so.

Q. Have you ever received any benefits as a Choctaw Indian?
A. I have never received none yet.

Q. Have any of your ancestors ever received any benefits as Choctaw Indians? A. Not as I can recollect.

Q. What is the name of your ancestors who lived here in 1830 seventy years ago? A. You aint talking about my mother and father. All I know anything about is my mother and father.

Q. What do you know about them. Tell me what you know about them being recognized as Choctaw Indians? A. They claim they was. That is all I know about it.

Q. Did any of your ancestors remove from the territories occupied by the Choctaw Tribe in Mississippi to the Choctaw Nation in the Indian Territory at the time of the removal of the Choctaw Indians between the years 1833 and 1838? A. No sir.

Q. Have any of your ancestors ever claimed or received any land in Mississippi as beneficiaries from either the Choctaw Nation or the United States Government under the provisions of the fourteenth article of the treaty of 1830? A. No sir.

Q. Have you any evidence of the fact that your ancestors were in any manner ever recognized as members of the Choctaw tribe of Indians? A. All I know about is what my mistress tols us. She taught us about the indians. That is where I got what I know about it.

Q. Is there any additional statement you desire to make in support of your application?

A. I would like to get proof that what I said is so.

Q. Have you any documentary evidence, affidavits, written testimony of any description, copies of records, deeds or patents, or any other proper papers showing that any of your ancestors or any of your wife's ancestors were recognized members of the Choctaw Tribe of Indians in the year 1830 when the treaty of Dancing Rabbit Creek was entered into between the United States Government and the Choctaw Tribe of Indians, or that any of them ever complied or attempted to comply with the fourteenth article of the said treaty, or have ever received any benefits under said article of said treaty? A. No.

The applicant in this case has none of the appearances of a Choctaw Indian, and is evidently a negro. She is unable to speak the Choctaw language, and has no knowledge of any compliance by any of her ancestors with the provisions of the Fourteenth Article of the Treaty of 1830.

The decision of the Commission as to the application made by you at this time for identification as a Mississippi Choctaw will be determined at the earliest possible date, and report of the same made to the Secretary of the Interior conformable with the provisions of the twenty-first section of the Act of Congress of June 28th, 1898, and a copy of same will be mailed to you at your post office address as given in your testimony.

Adolph Weil, having been duly sworn upon oath, states that as stenographer to the Commission to the Five Civilized Tribes he reported in full all the proceedings had in the above entitled cause on the 30th day of April, 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes of said proceedings on said date.

A. B. Weil
Stenographer

Sworn to and subscribed before me at Meridian, Mississippi, this 30th day of April, 1901.

[Signature]
Notary Public.

LRB
C. W.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

-----|-----

In the matter of the application of Nellie Howard, for
identification as a Mississippi Choctaw, N C R 1978.

--: D E C I S I O N :--

It appears from the record herein that an application
for identification as a Mississippi Choctaw was made to this Com-
mission by Nellie Howard for herself under the following provision
of the act of Congress approved June 22, 1898, (30 Stat., 495):

"Said Commission shall have authority to determine the
identity of Choctaw Indians claiming rights in the Choctaw
lands under article fourteen of the treaty between the
United States and the Choctaw Nation, concluded September
twenty-seventh, eighteen hundred and thirty, and to that
end may administer oaths, examine witnesses, and perform
all other acts necessary thereto and make report to the
Secretary of the Interior."

It also appears from the testimony that this applicant
was born of a slave mother prior to the Emancipation Proclamation,
and was herself a slave, and it does not appear from the records
in the possession of the Commission that she has ever been enrolled
by the Choctaw tribal authorities as a member of the Choctaw tribe.

2.

or admitted to Choctaw citizenship by a duly constituted court or committee of the Choctaw Nation, or by the Commission to the Five Civilized Tribes, or by a decree of the United States Court in Indian Territory under the provisions of the act of Congress approved June 10, 1896, (29 Stat., 321).

It is the opinion of this Commission that under the provision of law above quoted no freedman is entitled to identification as a Mississippi Choctaw, and that the application of Nellie Howard as such should, therefore, be refused, and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES,


Acting Chairman.


Commissioner.


Commissioner.

Muskogee, Indian Territory,

OCT 17 1902

COPY.

K.C.R. 1978.

Muskogee, Indian Territory October 17, 1902.

Messrs. Mansfield, McMurray & Cornish,

Attorneys for the Choctaw and Chickasaw Nations.

South McAlester, Indian Territory.

Gentlemen:

You are hereby advised that on the 17th day of October 1902, the Commission to the Five Civilized Tribes rendered a decision in the case of Nellie Howard applicant for identification as a Mississippi Choctaw.

This application was made under the provision of the act of Congress of June 28, 1898 (30 Stats., 495) which is as follows:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses, and perform all other acts necessary thereto and make report to the Secretary of the Interior."

Said decision concludes as follows:

"It is the opinion of this Commission that under the provision of law above quoted no freedman is entitled to identification as a Mississippi Choctaw, and that the application of Nellie Howard as such should, therefore, be refused, and it is so ordered."

You are further advised that the applicant in this case has been allowed fifteen days from the date hereof within which to file arguments in this office, and that at the expiration of said time the papers in the case, together with such arguments, will be

MM & C -2

forwarded to the Secretary of the Interior through the Commissioner
of Indian Affairs.

Respectfully,

Acting Chairman.

U.S.R. 1978

COPY.

Muskogee, Indian Territory October 17, 1902.

Nellie Howard,

Home, Mississippi.

Dear Madam:

You are hereby advised that on the 17th day of October 1902, the Commission to the Five Civilized Tribes rendered a decision in the case of Nellie Howard applicant for identification as a Mississippi Choctaw.

This application was made under the provision of the act of Congress of June 26, 1890 (30 Stats., 490) which is as follows:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto and make report to the Secretary of the Interior."

Said decision concludes as follows:

"It is the opinion of this Commission that under the provision of law above quoted no freedman is entitled to identification as a Mississippi Choctaw, and that the application of Nellie Howard as such should, therefore, be refused, and it is so ordered."

You are further advised that you will be allowed fifteen days from the date hereof within which to file arguments in this office, and that at the expiration of said time the papers in the case, together with such arguments, will be forwarded for review

W H -2

to the Secretary of the Interior through the Commissioner of Indian
Affairs.

Respectfully,

(SIGNED)

Acting Chairman.

Registered.

COPY.

Muskogee, Indian Territory, November 3, 1902.

The Honorable,

The Secretary of the Interior.

Sir:

There is transmitted herewith the record in the case of Nellie Howard applicant to the Commission for identification as a Mississippi Choctaw, including the decision of the Commission of October 17, 1902.

The Commission has the honor to report that the applicant herein and the attorneys for the Choctaw and Chickasaw Nations have been duly advised by letter of the action of the Commission, copies of said letters being attached to the record.

Respectfully,

SIGNED

Samuel H. Hatcher

Acting Chairman.

Through the
Commissioner of Indian Affairs.

Enc. M. C. R. 1978.

COPY.

DEPARTMENT OF THE INTERIOR.
Washington.

RAF.

D. C. 4581-1903.
ITD. 1104-1903.
LHS.

February 12, 1903.

Commission to the Five Civilized Tribes,
Muskogee, I. T.

Gentlemen:

November 3, 1903, you transmitted the record in the matter of the application of Nellie Howard for identification as a Mississippi Choctaw.

It is stated in your opinion of October 17, 1902, that it appears that the applicant was born of a slave mother prior to the Emancipation Proclamation and was herself a slave; that she was never admitted or enrolled as a citizen of the Choctaw Nation; and you held that under the provisions of the act of June 28, 1898 (30 Stat., 495), "no freedman is entitled to identification as a Mississippi Choctaw." The application was accordingly refused.

The applicant claims to be "one-third" Choctaw Indian and alleges that she derives her Indian blood from her father, Stephen Yates, and her mother Mariah Mitchell. The Acting Commissioner of Indian Affairs reports that the records of the Indian Office fail to show that either of the applicant's parents complied or attempted to comply with article 14 of the treaty of

-2-

September 27, 1830, and he recommends that your decision be approved. A copy of his letter of January 29, 1903, is inclosed.

The Department affirms your decision.

Respectfully,

(Signed) THOS. RYAN

Acting Secretary.

1 inclosure.

C O P Y .

DEPARTMENT OF THE INTERIOR,
Office of Indian Affairs,

Land
67757-1902.

Washington, Jan. 29, 1903.

The Honorable,

The Secretary of the Interior.

Sir:

There is transmitted, herewith, for your consideration, the record and proceedings had before the Commission to the Five Civilized Tribes in the matter of the application of Nellie Howard for identification as a Mississippi Choctaw, wherein a decision adverse to her was rendered by the Commission October 17, 1902.

The testimony in this case shows that the applicant claims rights to identification because of descent through her father, Stephen Yates, and her mother Mariah Mitchell, from her grandfather whom she knows nothing about but alleges he was a Choctaw Indian.

The Commission rejected the applicant because from its records the names of Stephen Yates or Mariah Mitchell did not appear among the names of those Choctaw Indians who complied or attempted to comply with the provisions of the 14th Article of the treaty of 1830, and for the reason that this applicant was born of a slave mother prior to the Emancipation Proclamation and was herself a slave, and that she has never been enrolled by the Choctaw tribal authorities as a member of the Choctaw tribe of Indians or admitted to Choctaw citizenship.

An examination of the records of this office has been

made in search of the names of Stephen Yates and Mariah Mitchell, they being as far back as the applicant is able to go, but their names do not appear among those Choctaw Indians who complied or attempted to comply with the provisions of the 14th Article of the Choctaw treaty of 1830, this being the case it is the opinion of this office that the applicant is not entitled to identification as a Choctaw Indian or to the rights to participate in the distribution of land under said treaty.

It is therefore respectfully recommended that the decision of the Commission rejecting the party hereto, be approved.

Very respectfully,

W. A. JONES,

Commissioner.

C. T. C.

L.

M.C.R. 1978

Muskogee, Indian Territory, February 24, 1903.

Nellie Howard,

Horne, Mississippi.

Dear Madam:

You are hereby notified that on the 12th day of February, 1903, the Secretary of the Interior affirmed the decision of this Commission refusing your application for identification as a Mississippi Choctaw, of which decision you were advised by registered mail on the 17th day of October, 1902.

Respectfully,

Tamo Dixby.
Chairman.

M.C.R. 1978

COPY.

Muskogee, Indian Territory, February 24, 1903.

Mansfield, McMurray & Gernish,

Attorneys for the Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:

You are hereby notified that on the 12th day of February, 1903, the Secretary of the Interior affirmed the decision of this Commission refusing the application for identification as a Mississippi Choctaw of Nellie Howard, of which decision you were advised by mail on the 17th day of October, 1902.

Respectfully,

John S. Galt
Chairman.

379

No. 1978

For Identification as a Mississippi Choctaw.

Date **APR 30 1901**

Name

Nellie Howard.

Age

50.

Blood

1/3.

Post Office

Horne, Miss.

Father:

Stephen Yates - dead.

Mother:

Maria Mitchell - dead.

Claims through

father.

~~Children:~~

Clara

Stenographer

J. I. Niles

REFUSED

Ellie Howard

DECISION RENDERED. OCT 17 1902

NOTICE OF DECISION MAILED APPLICANT.

1978

OCT 17 1902

NOTICE OF DECISION MAILED ATTORNEYS
FOR CHOCTAW AND CHICKASAW NATIONS.

OCT 1902

RECORD FORWARDED DEPARTMENT,

NOV 3 1902

ACTION APPROVED BY SECRETARY OF INTERIOR,

FEB 13 1903

NOTICE OF DEPARTMENTAL ACTION
FORWARDED APPLICANT.

FEB 21 1903

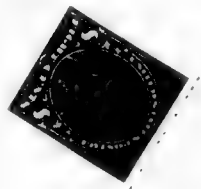
NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEYS FOR CHOCTAW
AND CHICKASAW NATIONS.

2891
1809

Returned to Writer



Department of the Interior.
Commission to the Five Civilized Tribes,
MUSKOGEE, IND. TER.
OFFICIAL BUSINESS.
Penalty for private use, \$300.



Registered No. 13

Thelma Hayward

Muskogee
Ind. Ter.

W. H. Smith, Mississippi

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE CIVILIZED TRIBES.

FILED

DEC 2 1902



ACTING CHAIRMAN



Choctaw MCR 1979

Anthony Knighton

MCR 1979

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application of Anthony Knighton for
identification as a Mississippi Choctaw, M.C.R. 1979.

List of papers forwarded to the Secretary of the Interior
comprising the record in the case of
Anthony Knighton.

(Page)

Original application of Anthony Knighton before
the Dawes Commission for identification
as a Mississippi Choctaw1

Decision of the Commission refusing the application
of Anthony Knighton for identification
as a Mississippi Choctaw2

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
Meridian, Mississippi, April 30, 1901.

In the matter of the application for identification as a
Mississippi Choctaw of Anthony Knighton.

Said Anthony Knighton, being duly sworn, testified as
follows:-

Examination by the Commission.

- Q What is your name? A Anthony Knighton.
Q How old are you? A About thirty-five.
Q What is your postoffice address? A Carmichael, Mississippi.
Q How long have you lived in Mississippi? A Five years.
Q Where did you live before that? A Choctaw.
Q Choctaw what? A Choctaw County, Alabama.
Q How long did you live in Alabama? A All my days.
Q Born there? A Born and lived there up to five years ago.
Q What is your father's name? A Alfred Knighton.
Q Is your father living? A No sir.
Q Was your father a Choctaw Indian? A Yes sir.
Q How much Choctaw? A Half.
Q Was he a negro? A He was half Indian.
Q Wasn't the other half negro? A Yes, I reckon so.
Q Was he a slave? A Yes sir.
Q What is your mother's name? A Dicey Knighton.
Q Is your mother living? A Yes sir.
Q Is your mother a Choctaw Indian? A She is not an Indian.
Q Claim your rights through your father? A Yes sir.
Q Was your mother a slave? A Yes sir.
Q How much Choctaw blood do you claim? A Well, he was half,
so he said himself.
Q How much are you? A I ought to be a fourth.
Q How much are you? A A quarter.
Q Were your father and mother ever married? A No sir, they
just took up.
Q How long did they live together as man and wife? A I know
they was man and wife but I don't know how long they stayed together.
Q Have you any evidence showing that your father was ever recog-
nized as a member of the Choctaw Tribe of Indians? A Yes sir..
Q Have you any evidence of that fact? Let's see it?
A I haven't it with me. I can get testimony from my mother and
several others.
Q Are you married? A Yes sir.
Q Making any application for your wife? A No sir.
Q Have you any children? A No sir.
Q Just applying for yourself? A Yes sir.
Q Is your name on any of the tribal rolls of the Choctaw Nation
in the Indian Territory? A Yes sir, according to my father it
ought to be.
Q Is your name on any of the rolls? A It ain't yet.
Q Have you ever made application to the Choctaw tribal authorities
to be enrolled as a member of their Tribe? A No sir.
Q Did you, or did anyone for you, five years ago, in 1896, make
application to the Commission to the Five Civilized Tribes for cit-
izenship in the Choctaw Nation under the Act of Congress of June 10,
1896? A No sir.
Q Have you ever been admitted to citizenship in the Choctaw Nation
by either the Choctaw Tribal authorities, the Commission to the Five
Civilized Tribes or the United States Court in Indian Territory?
A I never knewed anything about it.
Q This is your first application? A Yes sir.

Q You are now making application for identification as a Mississippi Choctaw? A For an Alabama Choctaw.

Q Do you claim your rights as a beneficiary under the provisions of the fourteenth article of the treaty of 1830? A Well, I guess so.

Q Did you ever receive any benefits as a member of the Choctaw Tribe of Indians in Indian Territory? A No sir.

Q What are the names of any of your ancestors who were residents of the old Choctaw Nation in Mississippi or Alabama and acknowledged members of the Choctaw Tribe of Indians in 1830 when the treaty of Dancing Rabbit Creek was entered into between the United States and the Choctaw Tribe of Indians? A Tom Indian.

Q Was he a recognized member of the Choctaw Tribe of Indians?

A Yes sir, I reckon he was.

Q How do you know he was an Indian? A Just what my father said.

Q Was he ever recognized by the Choctaw Tribe as a member of that Tribe? A He was with the Indians at that time; he camped through by our house a heap.

Q Did any of your ancestors move from Mississippi to the Choctaw Nation at the time of the removal of the other members of the Choctaw Tribe of Indians from 1833 to 1838? A No sir.

Q Did any of them ever claim or receive any land in Mississippi as beneficiaries under the provisions of the fourteenth article of the treaty of 1830? A No sir, they never claimed nothing.

Q Tell me what you know of your ancestors having been recognized as members of the Choctaw Tribe of Indians? A All I know is what my daddy said and what my mother said.

Q Is there any additional statement you want to make in support of this application? A No sir, I believe not.

Q Have you any documentary evidence, affidavits, written testimony of any description, copies of records, deeds or patents, or any proper papers, showing that your ancestors were ever recognized members of the Choctaw Tribe of Indians in Mississippi in 1830 or that they ever complied or attempted to comply with the provisions of the fourteenth article of the treaty of 1830 or that they have ever received any benefits under that article of that ~~treaty~~ treaty?

A I don't know sir.

Q Have you any papers? A No sir, I ain't got no papers.

Q Can you speak the Choctaw language? A No sir.

The applicant in this case is a negro, has none of the appearance or characteristics of the Choctaw Indians, is unable to speak the Choctaw language and has no knowledge of any compliance by his ancestors with the provisions of the fourteenth article of the treaty of 1830.

The decision of the Commission as to your application for identification as a Mississippi Choctaw will be determined at the earliest possible date and report of the same made to the Secretary of the Interior, conformable to the provisions of the twenty-first section of the Act of Congress of June 28, 1898, and a copy of the same will be mailed to you at your postoffice address as given in your testimony at this time.

Ira S. Niles, having been first duly sworn, upon his oath states that as stenographer to the Commission to the Five Civilized Tribes he reported in full all proceedings had in the above entitled cause on the 30th day of April, 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes of said proceedings on said date.

Subscribed and sworn to before me this 1st day of May, A.D. 1901, at Meridian, Mississippi.

[Signature]
Notary Public.

J. F. W.
C. W.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

---G---

In the matter of the application of Anthony Knighten for
identification as a Mississippi Choctaw, M.C.R. 1879.

--: D E C I S I O N :--

It appears from the record herein that application for
identification as a Mississippi Choctaw was made to this Commission
by Anthony Knighten for himself, under the following provision of
the act of Congress approved June 22, 1898 (30 Stats., 495):

"Said Commission shall have authority to determine the
identity of Choctaw Indians claiming rights in the Choctaw lands
under article fourteen of the treaty between the United States
and the Choctaw Nation, concluded September twenty-seventh,
eighteen hundred and thirty, and to that end may administer
oaths, examine witnesses and perform all other acts necessary
thereof and make report to the Secretary of the Interior."

It also appears that the said applicant claims rights
in the Choctaw lands under article fourteen of the treaty between
the United States and the Choctaw Nation, concluded September twenty-
seventh, eighteen hundred and thirty, by reason of being a descendant

of one Tom Indian, who is alleged to have been a Choctaw Indian, degree of blood not stated, and to have resided in Mississippi in eighteen hundred and thirty.

It further appears from the evidence submitted in support of said application, and from the records in the possession of the Commission, that the said applicant has never been enrolled by the Choctaw tribal authorities as a member of the Choctaw tribe, or admitted to Choctaw citizenship by a duly constituted court or committee of the Choctaw Nation, or by the Commission to the Five Civilized Tribes, or by a decree of the United States Court in Indian Territory, under the provisions of the act of Congress approved June 10, 1896 (29 Stats., 321).

It does not appear from the testimony and evidence offered in support of said application, or from the records in the possession of the Commission relating to persons who complied or attempted to comply with the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and to persons who heretofore were claimants thereunder, that the said Tom Indian, or an ancestor less remote, signified (in person or by proxy) to Colonel Wm. Ward, Indian Agent, Choctaw Agency, an intention to comply with the provisions of said article fourteen, or presented a claim to rights thereunder to either of the Commissions authorized to adjudicate such claims by the acts of Congress approved March 3, 1837 (5 Stats., 130) and August 23, 1842 (5 Stats., 513).

It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Anthony

-3-

Knighton as a Choctaw Indian entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the application for his identification as such should be refused, and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES,

SIGNED:

Tams Dixby.

Acting Chairman.

SIGNED:

T. B. Needles.

Commissioner.

SIGNED:

C. R. Breckinridge.

Commissioner.

Muskogee, Indian Territory.

OCT 28 1902

H.C.R. 1979

COPY.

Waskogee, Indian Territory, October 28, 1902.

Manfield, McMurray & Cornish,

Attorneys for the Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:-

You are hereby advised that on the 28th day of October., 1902, the Commission to the Five Civilized Tribes rendered a decision in the case of Anthony Knighton, applicant for identification as Mississippi Choctaw.

This application was made under the provision of the act of Congress June 28, 1898, (30 Stat., 495) which is as follows:

"Said Commission shall have the authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh eighteen hundred and thirty, and to that end may administer oaths, examine witnesses, and perform all other acts necessary thereto, and make report to the Secretary of the Interior."

Said decision concludes as follows:

"It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Anthony Knighton as a Choctaw Indian entitled to rights in the Choctaw lands under provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the application for his identification as such should be refused, and it is so ordered.

U. S. M. & C. — 3

You are further advised that the applicant in this case has been allowed fifteen days from the date hereof within which to file arguments in this office, and that at the expiration of said time the papers in the case, together with such arguments, will be forwarded for review to the Secretary of the Interior through the Commissioner of Indian Affairs.

Respectfully,

SIGNED,

James Dixby.

Acting Chairman.

H.C.R. 1979.

COPY.

Muskogee, Indian Territory, October. 28, 1902.

Anthony Knighton,

Germichael, Mississippi.

Dear Sir:-

You are hereby advised that on the 28th day of October, 1902, the Commission to the Five Civilized Tribes rendered a decision in the case of Anthony Knighton, applicant for identification as Mississippi Choctaw.

This application was made under the provision of the act of Congress June 28, 1906, (34 Stats., 498) which is as follows:

"Said Commission shall have the authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh eighteen hundred and thirty, and to that end may administer oaths, examine witnesses, and perform all other acts necessary thereto, and make report to the Secretary of the Interior."

Said decision concludes as follows:

"It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Anthony Knighton as a Choctaw Indian entitled to rights in the Choctaw lands under provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the application for his identification as such should be refused, and it is so ordered.

You are further advised that you will be allowed fifteen days from the date hereof within which to file arguments in this

A. H. — 2

office, and that at the expiration of said time the papers in the case, together with such arguments, will be forwarded for review to the Secretary of the Interior through the Commissioner of Indian Affairs.

Respectfully,

(SIGNED).

Tamie D. King.
Acting Chairman.

Registered.

COPY.

Muskogee, Indian Territory, November 13, 1902.

The Honorable,

The Secretary of the Interior.

Sir:-

There is transmitted herewith the record in the case of Anthony Knighton, applicant to the Commission for identification as Mississippi Choctaw, including the decision of the Commission of October, 28, 1902.

The Commission has the honor to report that the applicant in this case and the attorneys for the Choctaw and Chickasaw Nations have been duly advised by letter of the action of the Commission, copies of said letters being attached to the record.

Respectfully,

Through the
Commissioner of Indian Affairs.
No. H.C.R. 1979.

[Signature]
Acting Chairman.

COPY.

DEPARTMENT OF THE INTERIOR.
OFFICE OF INDIAN AFFAIRS.
WASHINGTON.

Land

68343-1903.

March 18, 1903.

The Honorable,

The Secretary of the Interior.

Sir:

There is transmitted herewith the record of the Commission to the Five Civilized Tribes in the matter of the application of Anthony Knighton for identification as a Mississippi Choctaw, wherein a decision adverse to the applicant was rendered by the Commission on October 28, 1903.

The evidence in this case shows that the applicant bases his claim for identification on his descent from one Tom, an Indian of the Choctaw tribe, his mother being a slave. He is unable to give any information with reference to Tom aside from his name. As to whether Tom was alive in 1830 and a citizen of the Choctaw Nation, he is unable to say; neither can he say

whether Tom himself or any of his ancestors complied or attempted to comply with the provisions of the 14th article of the Choctaw treaty of 1830. His testimony shows that Tom was a wandering Indian who cohabited or "took up" with his mother without any pretense of sustaining the relation of husband and wife.

The Commission reject the applicant for the reason that it does not appear from the testimony in support of this application, or from the records in the possession of the Commission that the said Tom Indian, or any other ancestor of the claimant complied or attempted to comply with the provisions of the 14th article of the Choctaw treaty of 1830.

There was a boy named Tom, a son of A-cha-ba under ten years of age in 1830, who received scrip under the provisions of the 14th article of the Choctaw treaty, but the applicant displays such great ignorance with reference to his ancestor Tom, he having been such a fleeting figure in the family history, and that it would be idle to attempt a further investigation as to whether Tom, the ancestor of the applicant, and Tom the son of

-3-

A-cha-ba, were identical. I therefore recommend that the decision of the Commission be approved.

Very respectfully,

A. C. Tenner,

Acting Commissioner.

E.B.H. H'r.

3 enclosures.

COPY.

DEPARTMENT OF THE INTERIOR.
WASHINGTON.

BAF

ITD 3046-1903,
D C 10335
L R S

April 8, 1903.

Commission to the Five Civilized Tribes,
Muskogee, I.T.

Gentlemen:

November 13, 1902, you transmitted the record in the matter of the application for identification of Anthony Knighton as a Mississippi Choctaw, including your decision of October 28, 1902, refusing the application.

The applicant claims to be a descendant of one Tom Indian, alleged to have been a Choctaw Indian residing in Mississippi in 1830.

The records fail to show that the applicant was ever admitted or enrolled as a citizen of the Choctaw Nation. The Acting Commissioner of Indian Affairs reporting March 18, 1903, states that there was a boy named Tom, a son of A-cha-ba, under ten years of age in 1830, who received scrip under the 14th article of the treaty of September 27, 1830, but owing to the applicant's ignorance as to his ancestor Tom, it would be idle to attempt a further investigation as to whether said ancestor and Tom, the son of A-cha-ba, were identical. He therefore recommends that your decision be approved.

-2-

After a careful examination of the whole record,
the Department affirms your decision. Copy of Indian Office letter herewith.

Respectfully,

(signed)

THOS RYAN.
Acting Secretary.

1 inclosure.

M.C.R. 1979

COPY.

Muskogee, Indian Territory, April 23, 1903.

Mansfield, McMurray & Cornish,
Attorneys for Choctaw and Chickasaw Nations,
South McAlester, Indian Territory.

Gentlemen:

You are hereby notified that on the 8th day of April, 1903, the Secretary of the Interior affirmed the decision of this Commission refusing the application for identification as a Mississippi Choctaw of Anthony Knighton, of which decision you were advised by mail on the 28th day of October, 1902.

Respectfully,

(SIGNED)

Jame Bixby.

Chairman.

M.O.R. 1979

COPY.

Muskogee, Indian Territory, April 23, 1903.

Anthony Knighton,
Carmichael, Mississippi.

Dear Sir:

You are hereby notified that on the 8th day of April, 1903, the Secretary of the Interior affirmed the decision of this Commission refusing your application for identification as a Mississippi Choctaw, of which decision you were advised by registered mail on the 28th day of October, 1902.

Respectfully,

(Sd)

Tame Dixby.

Chairman.

For Identification as a Mississippi Choctaw.

Date APR 30 1901

Name Anthony Knighton.

Age 35 Blood $\frac{1}{4}$.

Post Office Carmichael, Miss.

Father: Alfred Knighton - dead.

Mother: Dicey Knighton - ✓

Claims through father

~~Children:~~

Claim for himself

Stenographer

J. L. Niles.

REFUSED

Anthony Knighton

DECISION RENDERED, OCT 28 1902

NOTICE OF DECISION MAILED APPLICANT.

OCT 25 1902

NOTICE OF DECISION MAILED ATTORNEYS
FOR CHOCTAW AND CHICKASAW NATIONS

OCT 25 1902

RECORD FORWARDED DEPARTMENT.

NOV 13 1902

ACTION APPROVED BY SECRETARY OF INTERIOR.

APR 6 1903

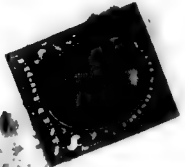
NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEYS FOR CHOCTAW
AND CHICKASAW NATIONS.

APR 23 1903

NOTICE OF DEPARTMENTAL ACTION
FORWARDED APPLICANT.

APR 10 1903

APED



Department of the Interior.

Commission to the Five Civilized Tribes,

MUSKOGEE, IND. TER.

OFFICIAL BUSINESS.

Penalty for private use, \$300.

741

71

~~Amelia J. Harrison,~~

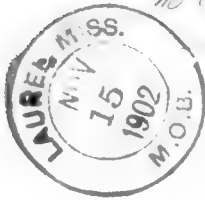
~~Camden, Mississippi.~~

~~Amelia J. Harrison,~~

File

1977

no. 1267 td



Choctaw MCR 1980.

General Lew Wallace

MCR 1980

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

---o---

In the matter of the application of General Lew Wallace,
et al., for identification as Mississippi Choctaws, consolidating
the applications of:

General Lew Wallace, et al., M.C.R. 1980
Josh Wallace, et al., M.C.R. 3448.

List of papers forwarded to the Secretary of the Interior
embracing the record in the consolidated case of
General Lew Wallace, et al.,

(Page)

Original application of General Lew Wallace, et al., for identification as Mississippi Choctaws.	1
Testimony of Willis Jackson, taken in behalf of the above applicant, at Atoka Indian Territory, August 20, 1901.....	6
Ex parte affidavit of Willis Jackson	8
Original application of Josh Wallace, et al., for identification as Mississippi Choctaws	9
Ex parte affidavit of C. C. Oatis.....	14
Ex parte affidavit of McClendon	15
Decision of the Commission denying the application of General Lew Wallace, et al., for identification as Mississippi Choctaws	16.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Atoka, I.T. May 6, 1901.

#1980

In the matter of the application of General Lew Wallace for the identification of himself and his minor children as Mississippi Choctaws.

General Lew Wallace being duly sworn, testifies as follows:

Examination by the Commission.

- Q What is your name? A General Lew Wallace.
- Q What is your age? A I don't know exactly; I am about between 50 and 60 years old--somewhere in the neighborhood there.
- Q What is your post-office address? A It will be here--I don't know the name of the County.
- Q Is it Atoka, Indian Territory? A Yes.
- Q How long have you lived here? A We got here last week.
- Q Where did you live before that? A Cairo, Illinois.
- Q How long did you live there? A About four or five years.
- Q And where did you live before that? A Water Valley, Mississippi.
- Q How long did you live in Mississippi? A I was raised in Mississippi; I lived in Water valley about ten or twelve years.
- Q Were you born in Mississippi? A Yes.
- How old were you when you left there? A I don't know exactly; I was grown; I don't know exactly how old I was; it was about 5 years ago.
- Q What is your father's name? A Tom Wallace.
- Q Is he living? A No.
- Q What is your mother's name? A Lena Wallace.
- Q Is she living? A No.
- Q Through which one of your parents do you derive your Choctaw blood?
- A My mother.
- Q How much Choctaw blood do you claim? A I claim three quarters.
- Q How much Choctaw blood did your mother have? A My mother was 1/2.
- Q What was your father? A He was mulatto.
- Q Has your parent through whom you claim your right to identification as a Mississippi Choctaw ever been recognized in any manner or enrolled as a member of the Choctaw tribe of Indians either by the Choctaw tribal authorities or the authorities of the United States?
- A I don't know if--well, I don't understand that part of it.
- Q Well, has your mother ever been recognized as a Choctaw Indian by the Choctaw tribal authorities or the authorities of the United States? A No, not as I know of.
- Q Are you married? A Yes.
- Q What is your wife's name? A Catherine Wallace.
- Q Do you make application on behalf of your wife? A No, I guess not me and her has been parted for some time.
- Q Have you any children in your family under twenty-one years of age and unmarried for whom you desire to make application at this time?
- A Yes I have four.
- Q Are they living with you? A No not now.
- Q Are you supporting the children? A I supported them until I came here; not now, I ain't; not for a month or so--they have been gone.
- Q How long have they been away from you? A I guess about eight or ten months.
- Q How long have you and your wife been separated? A About that time, eight or ten months.
- Q And the children have been with your wife ever since you were

2----Gen. Low Wallace

separated? A well, they come back and forth, but I told them they better stay with their mother and help her along; I didn't need no help; I didn't think it rights to take them away from her, they were all strong boys.

Q How are you supporting them? A I send them provisions and a little money.

Q Are you supporting your wife? A I have supported them all.

Q You are supporting the children and your wife both? A Yes.

Q Have you been divorced from your wife? A No.

Q You wish to make application for identification as Mississippi Choctaws for these children? A Yes.

Q What are their names and ages? A Well, I couldn't give the ages to the day.

Q Well, about? A Let's see/

Q What is the oldest? A Charley; about seven then or eighteen

Q Next? A Darling; about- fifteen I reckon.

Q Is that a boy? A Yes; all boys.

Q What is the name of the next? A Matthew; about thirteen I think; somewhere along about that age.

Q Next? A Thomas; about twelve.

Q Are you the father of these children? Yes.

Q What is the name of their mother? A Catherine Wallace.

Q Did you obtain a license to marry? A Yes.

Q Were you married by an ordained minister or by an official authorized to perform the marriage ceremony? A Ordained minister.

Q Have you your marriage license and certificate and do you desire to offer same in evidence? A They don't give no certificates there.

Q Is your name on any of the rolls of the Choctaw nation in the Indian Territory? A No, not as I knows of.

Q Have you ever made application to the Choctaw tribal authorities in the Indian territory to be enrolled as a member of that tribe?

A No, never have yet.

Q Did you, or did anyone for you in 1896, make application to the Commission to the Five Civilized Tribes, for citizenship in the Choctaw nation, under the Act of Congress of June 10, 1896?

A No.

Q Have you ever been admitted to citizenship in the Choctaw nation by either the Choctaw tribal authorities, the Commission to the Five Civilized Tribes, or by judgment of the United States Court in the Indian Territory? No.

Q Have you ever made application prior to this time to either the Choctaw tribal authorities or to the authorities of the United States, to be admitted or enrolled as a citizen of the Choctaw Nation? A No.

Q Is this the first application you have ever made of any description?

A Yes.

Q Is it now your purpose to make application for identification as a Mississippi Choctaw? A Yes.

Q Do you claim your rights as beneficiaries under the provisions of the fourteenth article of the treaty of 1830? What did you say?

Q Do you claim your rights as beneficiaries under the fourteenth article of the treaty of 1830? A Yes.

Q Do you understand that article? A No; I have been pretty hard to understand that.

Q I will read it to you; article fourteen of the treaty of 1830 is as follows:

"Each Choctaw head of a family being desirous to remain and become a citizen of the States shall be permitted to do so by signi-

tying his intention to the agent within six months after the ratification of this treaty, and he or she shall thereupon be entitled to a reservation of one section of six hundred and forty acres of land, to be bounded by sectional lines of survey; in like manner shall be entitled to one-half that quantity for each unmarried child which is living with him or her over ten years of age, and a quarter section to such child as may be under ten years of age, to adjoin the location of the parent. If they reside upon said lands intending to become citizens of the States for five years after the ratification of this treaty, in that case a grant in fee simple shall issue. Said reservation shall include the present improvements of the head of the family, or a portion of it. Persons who claim under this article shall not lose the privilege of a Choctaw citizen, but, if they ever remove, they are not to be entitled to any portion of the Choctaw annuity."

- Q Have you ever received any benefits as a Choctaw Indian? A No
- Q Have any of your ancestors ever received any benefits as Choctaw Indians? A No.
- Q What is the name of your ancestor or ancestors, that is, your foreparents, who were residents of Mississippi or Alabama and acknowledged members of the Choctaw tribe of Indians in 1830 when the treaty of Dancing Rabbit Creek was entered into between the United States and the Choctaw tribe of Indians? A What is that--my grandfather or mother?
- Q Yes, whatever one of your fore-parents lived in Mississippi or Alabama at the time of the treaty of 1830 and were Choctaw Indians?
- A I don't understand.
- Q Well, which one of your fore-parents was a resident of the old Choctaw Nation in 1830 who was a Choctaw Indian? A My grand-father is all I know.
- Q Your grand-father? A Yes.
- Q What was his name? A Jim Hutto.
- Q Have you any evidence showing that your grand-father was a recognized member of the Choctaw tribe of Indians at that time? A No.
- Q Did your grandfather remove from the territory occupied by the Choctaw Indians in Mississippi and Alabama to the present Choctaw Nation in the Indian Territory, at the time of the removal of the other members of the Choctaw tribe of Indians from 1833 to 1838?
- Q No; he passed backwards and forwards from Mississippi to his nation; he was chief at that time.
- Q He didn't come here to live? A He didn't come to Mississippi to live; he lived in the Territory.
- Q What territory? A Choctaw Nation, I reckon.
- Q This Indian Territory? A Yes.
- Q Did he live here? A Yes, he was a Choctaw Indian himself.
- Q Well, I asked you what parent was it lived in Mississippi in 1830?
- A My grand-mother.
- Q What was her name? A Fannie Hutto.
- Q Was she a Choctaw Indian? A No.
- Q Well, I asked you what one of your ancestors lived in Mississippi or Alabama in 1830 who was a Choctaw Indian? A There was none only my grand-father and he didn't live there; no it was his wife lived there.
- Q Was she Indian? A No, she was a brown-skinned woman, colored.
- Q Your grand-father, Jim Hutto, then came to the Indian Territory?
- A Yes.
- Q Have any of your ancestors ever claimed or received any land in Mississippi as beneficiaries under the provisions of the fourteenth article of the treaty of 1830? A Not as I know of.
- Q Are there any additional statements you desire to make in support of this application? A I don't know; I don't understand.
- Q Is there anything more that you want to say about your case?
- A No, not as I know of.
- Q Have you any documentary evidence, affidavits, written evidence of

4----Gen. Lew Wallace

any kind, copies of records, deeds or patents, or any proper papers showing that your grand-father or any of your ancestors ever were recognized members of the Choctaw tribe of Indians or that they ever complied or attempted to comply with the provisions of the fourteenth article of the treaty of 1830, or that they ever received any benefits as under that article of that treaty?

A Not as I knows of.

Richard P. Hamton being called and sworn as a witness in this case testified as follows:

- Q What is your name? A Richard P. Hamton.
Q What is your age? A About fifty-seven years.
Q What is your post-office address? A Atoka, now.
Q Have you moved here? A Yes.
Q Do you know General Lew Wallace? A Yes.
Q How long have you known him? A Since he was a small boy.
Q Did you know his father? A Yes.
Q Did you know his mother? A Yes; well.
Q Was his mother a Choctaw Indian? That is what they always presumed; she was always called so.
Q Did you know his grand-father? A No, I didn't know his grand-father; it was always understood--I have always heard him spoken of friendly--I have heard his grandfather spoken of as a chief, Jim Hutto, he moved, he came from there with the Indians to the Territory; and his father I think was a slave.
Q Well, his grand-father removed then with the other Indians to this country? A Yes: I think his people were principally raised in Lawrence County, and his mother moved when I was a small boy to Tishomingo County; she moved there when he was a boy--he is a little older than I--I am about 56--I know his father was a slave, I am sure--we was partners and we went to the Russell Shells in Alabama.
Q Is there anything more that you know about his mother being a Choctaw Indian? A A No.
Q Did she speak the Choctaw language? A Yes.
Q Was she recognized by the Choctaw Indians there in Mississippi as being a Choctaw Indian? A Yes.
Q She stayed there in Mississippi instead of coming to the Indian Territory? A Yes she didn't come to the Indian Territory at all.
Q Did she signify her intention to the agent of remaining there and becoming a citizen of the United States? A I don't know--I can't say; she moved about there--there was a lot of Indians moved with us to Tishomingo; I think his mother died there, that is the last I know--I think she died not far from Decatur.
Q She never got any land there? A No.
Q Do you know anything further in regard to this case--in regard to this man? A I think I don't--I have known him all his life.

Witness excused.

- Q Mr. Wallace can you speak the Choctaw language? A No, my mother could, but I can't.
Q Do you want to have time allowed to file any further evidence in this case? A No, I don't know that it would be necessary, would it?
Q Well, that is for you to say? A I don't know whether it will be necessary.

This man has the appearance of having a small proportion of Choctaw blood; he talks like a negro; does not speak the Choctaw language; his hair is slightly curly.

The decision of the Commission as to this application you make for yourself and minor children for identification as Mississippi Choctaws will be determined at the earliest possible date and

S-----Hon. Lew Wallace

Report of the same be made to the Secretary of the Interior conformable to the provisions of the twenty-first Section of the Act of Congress of June 28, 1898, and a copy of the same mailed to you at your post-office address as given by you in your testimony.

Henry G. Hains being duly sworn on his oath states that as stenographer to the Commission to the Five Civilized Tribes he reported in full all proceedings had in the above entitled cause on the 6th day of May, 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes in said cause on said date.

Henry G. Hains.

Subscribed and sworn to before me this 8th day of May 1901.

Dwight Brown
Notary Public.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
ATOKA, INDIAN TERRITORY, AUGUST, 20, 1901.

M.C.1980, In the matter of the application of General Lew Wallace et al., for identification as Mississippi Choctaws.

Willis Jackson, of Atoka, Indian Territory, having been summoned to appear before the Commission to the Five Civilized Tribes at its office at Atoka, Indian Territory, on August 20, 1901, to testify in behalf of certain applicants for identification as Mississippi Choctaws, by a subpoena, dated Muskogee, Indian Territory, July 25, 1901, signed by T. B. Needles, Commissioner in charge, return of which is evidenced by copy of subpoena, duly sworn to, attached hereto, on this date appeared before the Commission for examination, and having been first duly sworn testified as follows:

(The examination is conducted through A. Telle, who has been duly sworn as an interpreter.)

Examination by the Commission.

- Q What is your name? A Willis Jackson.
- Q How old are you? A I going on fifty one years old.
- Q Where do you live? A I live ten miles from here, over here south
- Q What is your post office address? A Well, I put it in here, Atoka
- Q Get your mail here at Atoka? A I get my mail a little post office back of my house, but I get mail here just the same.
- Q How long have you lived here in the Choctaw nation? A I lived here, I come here in 1889, about eleven years I think.
- Q In 1889? A Yes sir.
- Q Lived here ever since then? A Yes sir.
- Q Are you enrolled as a Choctaw Indian? A Yes sir.
- Q Were you admitted to citizenship? A yes sir.
- Q Did the Choctaw Council admit you? A Yes sir.
- Q Where did you come from to the Choctaw Nation? A I come from Mississippi.
- Q Were you born in Mississippi? A Yes sir.
- Q Did you live there all the time until you came here? A Yes sir.
- Q Whereabouts in Mississippi were you born? A I born and reised in Newton County, Mississippi.
- Q In what county? A Newton County. I understand pretty well white language, I never learn nothing.
- Q Do you know a man named General Lew Wallace? A yes.
- Q How long have you known him? A I saw him in Mississippi a great deal.
- Q How long has he lived in the Territory? A He has lived here in the Indian Territory something like two months.
- Q What is General Lew Wallace's mother's name? A He says Louisa; he says it's been a good while ago and I don't remember.
- Q Was she a Choctaw Indian? A Yes she was a Choctaw Indian.
- Q What was his grandfather's name? A Hutto.
- Q What was his first name, his given name? A He says I didn't know him by any other name except Hutton, that was just a Choctaw name.
- Q Are you satisfied that General Lew Wallace, this man that you know here in Atoka, is the great grand son of the man you knew in Mississippi? How old a man was General Lew Wallace when he left Mississippi? A He must have been thirty or thirty five years old.
- Q How were these people generally considered back there in Mississippi, as Indians or negroes? A They were Choctaws.
- Q What did you think Wallace is? Can he speak the Choctaw language?
- A He says he can tell all about it, the mother of this General Lew Wallace is a Choctaw woman; his father was a very fair skinned man and had the appearance of a white man, but it turned out that his ancestry was of the negre race, and his children showed it in their appearance.

- Q You have made affidavits that have been offered here and filed by applicants for identification as Mississippi Choctaws, in which you make positive statements that you know the applicants and that you identify them as the descendants of full blood Choctaw Indians that you know in Mississippi and also that in a number of instances you know that these ancestors did take the five years stay and land in Mississippi; do you make these affidavits of your own free will? A He says, I have never made any statements with reference to the five years stay; I have, in no affidavits that I have made, stated that I knew that they made this, because I don't know anything about that.
- Q Have you any interest in making these affidavits? A No, I have no interest.
- Q You didn't receive anything from these applicants for making these affidavits? A I have been paid the actual expenses of myself and my horses in going to and from the place of making these affidavits.
- Q How do you personally remember so many people who lived in Mississippi after having been away from there for the length of time you have, and especially remember people that lived there thirty five or forty years ago? A He says I grew up there; these people lived in the neighborhood that I lived in or close to it and I was born and raised there up to the time I was fifteen years old, and I knew a great many people, there were a great many Choctaws there and I knew a great many of them. I know these Choctaws in whose cases I have testified and beside them I know a greay many more that I could make statemtns for.
- Q What county in Mississippi were you born in? A Newton county.
- Q Did you always live there? A Yes, he was born and raised there.
- Q Did you ever live in any other county in Mississippi from the time you were born until you removed to the Indian Territory? A I lived in Newton County until I was about thirty years of age; then I married and moved over into another county but I stayed there only a short time and returned to Newton county, the county of rh original home and lived there until the time I came to the Indian Territory.
- Q Have you ever been in Mexico? a No, I was never in Mexico.
- Q Never have lived anywhere except in Newton county, Mississippi and the Choctaw nation, Indian Territory? A Those are the only places I ever lived in.
- Q Where did you live in Newton County, Mississippi, what place?
- A I got mail at Newton Station and also at Decatur; I lived between those two places.
- Q You lived in that Choctaw settlement up north of Newton? A Yes I lived in that settlement.
- Q You had a farm there? A Yes, I had a small farm there.

Anna Bell, having been first duly sworn, on her oath states that as stenographer to the Commission to the Five Civilized Tribes, she reported in full all the testimony of Willis Jackson, taken under the subpoena, return of which is hereto attached, on August 20, 1901, and that the above and foregoing is a full, true and correct transcript of her stenographic notes in said proceedings on said date so far as it applies to the above named case

Anna Bell

Subscribed and sworn to before me this 31st day of October, 1901.

Philip D. Hopkins
Notary Public.

J.W.L.
C.W.W.

DEPARTMENT OF THE COMMISSION.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

---0---

In the matter of the application of General Lew Wallace, et al., for identification as Mississippi Choctaws, consolidating the applications of:

General Lew Wallace, et al., M.C.R. 1980
Josh Wallace, et al., M.C.R. 3448.

--: D E C I S I O N :--

It appears from record herein that applications for identification as Mississippi Choctaws were made to this Commission by General Lew Wallace for himself, and his four minor children, Charley, Darling, Matthew, and Thomas Wallace, and by Josh Wallace for himself, and his two minor children, Lillie Eugenia and Dodie Wallace, under the following provision of the act of Congress approved June 28, 1898 (30 Stats., 495):

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto and make report to the Secretary of the Interior."

It also appears that all the said applicants claim rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, by reason of being descendants of one Jim Hutto, who is alleged to have been a full blood Choctaw

Indian, and to have lived in Mississippi in eighteen hundred and thirty.

It further appears from the evidence submitted in support of said applications and from the records in the possession of the Commission, that no one of said applicants have ever been enrolled by the Choctaw tribal authorities as a member of the Choctaw Tribe, or admitted to Choctaw citizenship by a duly constituted court or committee of the Choctaw Nation, or by the Commission to the Five Civilized Tribes, or by a decree of the United States Court in Indian Territory, under the provisions of the act of Congress approved June 10, 1896 (29 Stats., 321).

It does not appear from the testimony and evidence offered in support of said applications, or from the records in the possession of the Commission relating to persons who complied or attempted to comply with the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and to persons who heretofore were claimants thereunder, that the said Jim Hutto, or a less remote ancestor of the applicants herein, signified (in person or by proxy) to Colonel Wm. Ward, Indian Agent, Choctaw Agency, an intention to comply with the provisions of said article fourteen, or presented a claim to rights thereunder to either of the Commissions authorized to adjudicate such claims by the acts of Congress approved March 3, 1837 (5 Stats., 180) and August 23, 1842 (5 Stats., 513).

It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of General Lew Wallace, Charley Wallace, Darling Wallace, Matthew Wallace, Thomas Wallace, Josh Wallace, Lillie Eugenia Wallace, and Dodie Wallace, as Choctaw Indians entitled to rights in the Choctaw lands

(3).

under the provisions of said article fourteen of the treaty of
eighteen hundred and thirty, and that the applications for their
identification as such should be refused, and it is so ordered.

~~COMMISSION TO THE FIVE CIVILIZED TRIBES.~~


Acting Chairman.


General Officer.


C. R. Brewster.
Commissioner.

Muskogee, Indian Territory,

SEP -3 1902

COPY.

M.C.R.1980.

Muskogee, Indian Territory, September 3, 1902.

The Honorable,

The Secretary of the Interior.

Sir:

There is transmitted herewith the record in the consolidated case of General Lew Wallace, et al., applicants to the Commission for identification as Mississippi Choctaws, including the decision of the Commission of September 3, 1902.

The above consolidated case embraces the following original applications for identification as Mississippi Choctaws heard by the Commission:

General Lew Wallace, et al., M.C.R.1980;
Josh Wallace, et al., M.C.R.3448.

The Commission has the honor to report that the principal applicants in the several separate applications and the attorneys for the Choctaw and Chickasaw Nations have been duly advised by letter of the action of the Commission, copies of said letters being attached to the record.

Respectfully,

(SIGNED)

James H. ...
Acting Chairman.

Through the
Commissioner of Indian Affairs.

1 Enclosure.

COPY

M.C.R.1980

Muskogee, Indian Territory, September 3, 1902.

Mansfield, McMurray & Cornish,

Attorneys for the Choctaw and Chickasaw Nations,
South McAlester, Indian Territory.

Gentlemen:

You are hereby advised that on the 3rd day of September, 1902, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of General Lew Wallace, et al., embracing the following applications for identification as Mississippi Choctaws:

General Lew Wallace, et al., M.C.R.1980;
Josh Wallace, et al., M.C.R.3448.

These applications were made under the provision of the act of Congress of June 28, 1898, (30 Stats., 495), which is as follows:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto and make report to the Secretary of the Interior."

Said decision concludes as follows:

"It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of General Lew Wallace, Charley Wallace, Darling Wallace, Matthew Wallace, Thomas Wallace, Josh Wallace, Lillie Eugenia Wallace, and Dodie Wallace as Choctaw Indians entitled to rights in the Choctaw lands under

M., Me & C., 2.

the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the applications for their identification as such should be refused, and it is so ordered."

You are further advised that the Commission has, on this date, forwarded the record in this case to the Secretary of the Interior for review, and you will be informed in due time of such action as may be taken by him.

Yours truly,
(SIGNED)

Tamc Dwy.

Acting Chairman.

COPY.

M.C.R.1980.

Muskogee, Indian Territory, September 3, 1902.

General Lew Wallace,

Atoka, Indian Territory.

Dear Sir:-

You are hereby advised that on the 3rd day of September, 1902, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of General Lew Wallace, et al., embracing the following applications for identification as Mississippi Choctaws:

General Lew Wallace, et al., M.C.R.1980;
Josh Wallace, et al., M.C.R.3448.

These applications were made under the provision of the act of Congress of June 28, 1898, (30 Stats., 496), which is as follows:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto and make report to the Secretary of the Interior."

Said decision concludes as follows:

"It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of General Lew Wallace, Charley Wallace, Darling Wallace, Matthew Wallace, Thomas Wallace, Josh Wallace, Lillie Eugenia Wallace and Dodie Wallace as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the applications

G. L. W., 2.

for their identification as such should be refused, and it is so ordered."

You are further advised that the Commission has, on this date, forwarded the record in this case to the Secretary of the Interior for review, and you will be informed in due time of such action as may be taken by him.

Yours truly,

(SIGNED).

James Dixby.

Acting Chairman.

Registered.

M.C.R. 1609
" 1980

Muskogee, Indian Territory, December 8, 1902.

James W. Zachary,

Lexington, Kentucky.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 3d inst., in which you state that you are surprised that the decisions rendered by the Commission in the Mississippi Choctaw cases of Richard T. Hampton, wife and children, and Gen. Lew Wallace and children are sustained by the Secretary of the Interior.

You further state that if the facts had been explained to the Commission according to the truth in the cases, you do not understand on what ground the applicants have been excluded from enrollment as Mississippi Choctaws.

In reply, you are informed that the applicants above named submitted their applications for identification as Mississippi Choctaws under a provision of an act of Congress approved June 28, 1898 (30 Stats., 495) as follows:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto, and make report to the Secretary of the Interior."

Article fourteen of the Choctaw treaty of 1830, referred to in this legislation, is as follows:

"Each Choctaw head of a family being desirous to remain and become a citizen of the states, shall be permitted to do so, by signifying his intention to the agent within six months from the ratification of this treaty, and he or she shall thereupon be entitled to a reservation of one section of six hundred and forty acres of land, to be bounded by sectional lines of survey; in like manner shall be entitled to one-half that quantity for each unmarried child which is living with him over ten years of age; and a quarter section to each child as may be under ten years of age, to adjoin the location of the parent. If they reside upon said lands intending to become citizens of the States for five years after the ratification of this treaty, in that case, a grant in fee simple shall issue; said reservation shall include the present improvement of the head of the family, or a portion of it. Persons who claim under this Article shall not lose the privilege of a Choctaw citizen, but if they ever remove are not to be entitled to any portion of the Choctaw annuity."

The Commission requires of applicants that they reasonably demonstrate that they are descendants of Choctaw ancestors who resided in the old Choctaw Nation in the States of Mississippi and Alabama in 1830, and who complied or attempted to comply with the provisions of article fourteen above quoted, or were subsequently adjudicated beneficiaries thereunder by either of the two commissions authorized for this purpose by the acts of Congress approved March 3, 1837 (5 Stats., 180) and August 23, 1842 (5 Stats., 513).

The applicants, Richard T. Hampton, et al., and Gen. Lew Wallace, et al., having failed to submit any evidence of any act of compliance on the part of the ancestors through whom they claim

J W Z 3

their right to identification as Mississippi Choctaws with the provisions of article fourteen of the Choctaw treaty of 1830, the Commission rendered its decisions refusing their applications, which decisions were approved by the Secretary of the Interior, and the several applicants duly notified thereof.

Respectfully,

Acting Chairman.

D.C. 9837-1903.
I.T.D. 2720-1903.
L.R.S.

C O P Y.

DEPARTMENT OF THE INTERIOR.

WASHINGTON.

April 3, 1903.

Commission to the Five Civilized Tribes,

Muskogee, I. T.

Gentlemen:

September 3, 1902, you transmitted the consolidated case involving the applications for identification as Mississippi Choctaws, of General Lew Wallace and his minor children, Charley, Darling, Matthew and Thomas Wallace, and of Josh Wallace and his minor children, Lillie Eugenia and Dodie Wallace. You denied the applications September 3, 1902.

The applicants claim to be descendants of Jim Hutto, alleged to have been a full blood Choctaw Indian and to have resided in Mississippi in 1830, and of Fannie Hutto.

The records fail to show that any one of the applicants was ever admitted or enrolled as a citizen of the Choctaw Nation, or that either of their alleged ancestors complied or attempted to comply with article 14 of the treaty of September 27, 1830, or with either of the acts of March 3, 1837 (5 Stat., 180), and August 23, 1842 (5 Stat., 513).

Reporting March 11, the Acting Commissioner of Indian Affairs recommends approval of your decision. A copy

of his letter is inclosed.

The Department has reviewed the record and finds no reason to disturb your decision. It is accordingly affirmed.

Respectfully,

THOS. RYAN,

Acting Secretary.

1 inclosure.

Land.

C O P Y.

55829-1903.

DEPARTMENT OF THE INTERIOR,

Office of Indian Affairs,

Washington, March 11, 1903.

The Honorable

The Secretary of the Interior.

Sir:

I have the honor to transmit herewith the record of the Commission to the Five Civilized Tribes in the matter of the application for identification as Mississippi Choctaws of General Lew Wallace for himself and his four minor children, Charley, Darling, Matthew and Thomas Wallace; Joseph Wallace, for himself and his minor children, Lillie Eugenia and Dodie Wallace, wherein a decision adverse to the applicants was rendered by the Commission on September 3, 1903.

An examination of the evidence in this case has been made and it shows that the claim to identification is founded on the descent of the applicants from Fannie Hutte and Jim Hutte, who, it is alleged, were citizens of the Choctaw Nation and residents of Mississippi or Alabama in 1830.

It appears from the decision of the Commission

rejecting these applicants, that the name of Jim Hutto or a less remote ancestor of the applicants, does not appear in its records of those persons who complied or attempted to comply with the provisions of the 14th article of the Choctaw treaty of 1830.

The records of this office show that no person by the name of Fannie Hutto or the name of Jim Hutto, ever complied or attempted to comply with the provisions of the 14th article of the Choctaw treaty of 1830, and it is therefore recommended that the decision of the Commission rejecting these applicants be approved.

Very respectfully,

A. C. TONNER,

Acting Commissioner.

R.B.H. H'r.

3 enclosures.

M.C.R.1980.

COPY.

Muskogee, Indian Territory, April 17, 1903.

Mansfield, McMurray & Cornish,

Attorneys for the Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:

You are hereby notified that on the 3rd day of April, 1903, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of General Lew Wallace, et al., of which decision you were advised by mail on the 3rd day of September, 1902.

Respectfully,

Tame Little

Chairman.

M.C.R.1980.

COPY.

Muskogee, Indian Territory, April 17, 1903.

General Lew Wallace,

Atoka, Indian Territory.

Dear Sir:

You are hereby notified that on the 3rd day of April, 1903, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of General Lew Wallace, et al., of which decision you were advised by registered mail on the 3rd day of September, 1902.

Respectfully,

Tamie Bixby
Chairman.

M.C.R. 1980

Muskogee, Indian Territory, March 20, 1906.

R. P. Elliott,

Attorney at Law,

Tulsa, Indian Territory.

Dear Sir:

Replying to your letter of the 16th instant, inquiring whether Lew Wallace and Josh Wallace are enrolled as Choctaws, you are informed that it appears from the records of this office that General Lew Wallace and Josh Wallace made application to the Commission to the Five Civilized Tribes for the identification of themselves and families as Mississippi Choctaws; that on September 3, 1902, the Commission rendered its decision refusing their applications, and on April 3, 1903 the Secretary of the Interior approved said decision.

Respectfully,

Acting Commissioner.

JUL 17 1909

Muskogee, Okla.

Respectfully referred to the Commissioner
to the Five Civilized Tribes for appropriate
action.

W. W. Bennett

U. S. Indian Agent

Acting

CC

38743-1909

MH 7/19/09

SUBJECT:

Wants information as to
enrollment of G.L. Wallas,
or Wallace.

July 19, 1909.

Paul C. Meyer,

Tulsa, Okla.

Sir:

I am in receipt of your letter of the 2nd instant,
in which you ask for information in reference to the enrollment
of one G.L. Wallas, or Wallace.

In reply, you are advised that I have referred your
letter to the Commissioner to the Five Civilized Tribes for
appropriate action.

respectfully,

United States Indian Superintendent .

Jim Hutto,
free colored
wife

Fannie Hutto
Negro,

Kena Hutto
husband

Tom Wallace
Ind + white

General Reed Wallace, 74
about 60,
wife

Catherine Wallace

Josh Wallace 54 3/4
wife

Belle Wallace

Charley Wallace, 17

Darling Wallace 15

Matthew Wallace 13

Romer Wallace 12

Lizzie Eugene Wallace 16

Dodie Wallace 15

CHEROKEE NATION.

CH
(NOT I)

CARD No.	NAME	RESIDENCE DISTRICT	POST OFFICE	AGE	SEX	BLOOD	TRIBAL ENROLLMENT			TRIBAL ENROLLMENT OF PARE		
							YEAR	DISTRICT	No.	NAME OF FATHER	YEAR	DISTRICT

Conradia Case

James Lee Moore
2445

RECEIVED
M.C.R. 1980

REFUSED

1980

General Leo Wallace, et

REFUSED

DECISION RENDERED, SEP 3 1902

NOTICE OF DECISION MAILED APPLICANT.

SEP - 3 1902

NOTICE OF DECISION MAILED ATTORNEYS
FOR CHOCTAW AND CHICKASAW NATIONS.

SEP - 3 1902

RECORD FORWARDED DEPARTMENT.

SEP - 3 1902

ACTION APPROVED BY SECRETARY OF INTERIOR.

APR - 3 1903

NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEYS FOR CHOCTAW
AND CHICKASAW NATIONS.

APR 17 1903

NOTICE OF DEPARTMENTAL ACTION
FORWARDED APPLICANT.

APR 17 1903

DECISION PREPARED

REFER TO M. C. R. 3

No

1980

For Identification as a Mississippi Choctaw.

Date May 6, 1901

Name General Lew Wallace

Age about 60 Blood 3/4

Post Office, Aloba, O. T.

Father: Tom Wallace dead

Mother: Lena Wallace

Claims through mother

Wife: Catherine Wallace.
(No claim for her)

Children.

Charley Wallace 18

Darling (boy) 15

Mallory 13

Thomas 12

Claims for himself and
four minor children

Stenographer

Henry G. Hains

Choctaw MCR 1981

George Quinn

MCR 1981

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Philadelphia, Mississippi, April 29th, 1901.

In the matter of the application of George Quinn for identification as a Mississippi Choctaw.

George Quinn, having been first duly sworn, upon his oath testifies as follows:

Examination by the Commission:

- Q What is your name? A George Quinn.
Q What is your age? A Twenty five.
Q What is your post office address? A Sturgis, Mississippi.
Q How long have you lived there? A All my life.
Q Born there? A Yes.
Q What is your father's name? A Philip Quinn.
Q Is he living? A No sir.
Q What is your mother's name? A Emily Quinn.
Q Is she living? A Yes sir.
Q Through which one of these parents do you claim your Choctaw blood? A Mother.
Q How much do you claim? A Quarter, I reckon.
Q Has your parent through whom you claim your right to identification as a Mississippi Choctaw ever been enrolled or recognized in any manner as a member of the Choctaw tribe of Indians by the Choctaw tribal authorities or the authorities of the United States?
A I don't know.
Q Are you married? A No sir.
Q Claiming for yourself alone? A Yes sir.
Q You have no children? A No sir.
Q Is your name on any of the tribal rolls of the Choctaw Nation in the Indian Territory? A No sir, not as I know of.
Q Have you ever made application to the Choctaw tribal authorities in the Indian Territory for enrollment as a member of that Nation?
A No sir.
Q Did you or any one for you in 1896 under the law of Congress of June 10, 1896, make application for enrollment or citizenship in the Choctaw Nation to the Commission to the Five Civilized Tribes?
A No sir.
Q Have you ever been admitted to citizenship in the Choctaw Nation by either the Choctaw tribal authorities, the Commission to the Five Civilized Tribes or by the United States Court in the Indian Territory? A No sir.
Q Have you ever made application before this time to either the Choctaw tribal authorities or to the authorities of the United States to be admitted or enrolled as a Choctaw Indian? A No sir.
Q This is the first application of any kind that you have ever made?
A Yes sir.
Q Do you now appear to be identified as a Mississippi Choctaw?
A Yes sir.
Q Do you claim your rights as a beneficiary under the provisions of article fourteen of the treaty of 1830? A Yes sir.
Q Have you ever received any benefits as a Choctaw Indian? A No sir.
Q Have any of your ancestors ever received any benefits as Choctaw Indian? A No sir.
Q What was the name of your ancestor or ancestors who were residents of the old Choctaw Nation in Mississippi and Alabama and acknowledged members of the Choctaw tribe of Indians in 1830 when the treaty of Dancing Rabbit Creek was entered into between the United States government and the Choctaw Nation? A I claim through my mother.
Q Have you any evidence showing that your mother was a recognized

George Quinn -2.

members of the Choctaw tribe of Indians in 1830? A No sir.

Q Did your mother or any of your ancestors remove from the territory occupied by the Choctaw Nation in Mississippi and Alabama to the present Choctaw Nation in the Indian Territory with the other Indians between the years 1833 and 1838? A No sir.

Q Did any of your ancestors within six months after the ratification of the treaty of 1830 tell the United States Indian Agent that they intended to remain in Mississippi, and take land here, and become citizens of the state of Mississippi? A Not as I know of.

Q Did your mother or any of your ancestors ever receive or claim any land in Mississippi under the provisions of article fourteen of the treaty of 1830? A No sir.

Q Is there anything further you want to state in support of your application? A No sir.

Q Have you any documentary evidence, affidavits, written testimony of any description, copies of records, deeds or patents, or other proper papers showing that you ancestors were recognized members of the Choctaw tribe of Indians in Mississippi in 1830, or that they ever complied or attempted to comply with the provisions of the fourteenth article of the treaty of 1830, or that they ever received any benefits under that article of that treaty? A No sir.

Q Was your father a white man or a negro? A I reckon he was a negro.

Q Was your mother a white woman or a negro? A She claimed her mother was Injun and her father a white man.

Q Was your father a slave? A Yes sir.

Q And your mother? A Yes sir.

Q You were not living in slavery times? A No sir.

The appearance of the applicant would indicate that negro blood predominates; blue eyes which would indicate some white blood; black curly hair; indications of some Choctaw blood.

The decision of the Commission as to your application for identification as a Mississippi Choctaw will be determined at the earliest possible date and report of the same made to the Secretary of the Interior conformable to the provisions of the twenty first section of the act of Congress of June 28, 1898, and a copy of the same will be mailed to you at your post office address as given in your testimony.

H.C. Risteen, having been first duly sworn, upon his oath states: That as stenographer to the Commission to the Five Civilized Tribes he reported in full all proceedings had in the above ~~xx~~ entitled cause on the 29th day of April 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes of said proceedings on said date.

H.C. Risteen

Subscribed and sworn to before me at Philadelphia, Mississippi, this 29th day of April, 1901.

Herrell L. Quinn
Justice of the Peace in and
for District No. 1, Neshoba
County, Mississippi.

M.C.R. 1981

Muskogee, Indian Territory October 20, 1902.

George Quinn,

Sturgis, Mississippi.

Dear Sir:-

You are hereby advised that on the 28th day of October 1902, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Emily Quinn, et al., embracing the following applications for identification as Mississippi Choctaws:

Emily Quinn, et al.,	M.C.R. 1983
George Quinn,	M.C.R. 1981
Amanda Brooks,	M.C.R. 1982.

These applications were made under the provision of the act of Congress of June 28, 1898 (30 Stats., 495) which is as follows:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses, and perform all other acts necessary thereto and make report to the Secretary of the Interior."

Said decision concludes as follows:

"It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Emily Quinn, Anna Quinn, George Quinn, and Amanda Brooks, as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the applications for their identification as such should be refused, and it is so ordered."

J 9-2

You are further advised that you will be allowed fifteen days from the date hereof within which to file arguments in this office, and that at the expiration of said time the papers in the case, together with such arguments, will be forwarded for review to the Secretary of the Interior through the Commissioner of Indian Affairs.

Respectfully,

(S)

(S)

C. R. Ercoliniago.
Commissioner in Charge.

Registered.

M.C.R. 1981

COPY.

Muskogee, Indian Territory, February 21, 1903.

George Quinn,

Sturgis, Mississippi.

Dear Sir:-

You are hereby notified that on the 5th day of February, 1903, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of Emily Quinn, et al., of which decision you were advised by registered mail on the 28th day of October, 1902.

Respectfully,

Tame Dixby

Acting Chairman

REFUSED

George Linn

DECISION RENDERED. OCT 28 1902

NOTICE OF DECISION MAILED APPLICANT.

OCT 28 1902

FOR CHOCTAW AND CHICKASAW NATIONS.

3 1902

RECORD FORWARDED DEPARTMENT.

1902

ACTION APPROVED BY SECRETARY OF INTERIOR.

FEB 3 1903

NOTICE OF DEPARTMENTAL ACTION
FORWARDED APPLICANT.

FEB 1 1903

DEPARTMENTAL ACTION
WAS FOR ATTORNEYS FOR CHOCTAW
AND CHICKASAW NATIONS.

REFER TO : J. R. 1903

For Identification as a Mississippi Choctaw.

Date APR 29 1901

Name George Linn

Age 25 Blood 1/4

Post Office, Sturgis, Miss.

Father: Philip Linn d

Mother: Emily Linn. d

Claims through Mother

Claims for self alone

~~Children:~~

Stenographer

H. C. Austin

Choctaw MCR 1982

Amanda Brooks

MCR. 1982

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Philadelphia, Mississippi, April 29th, 1901.

In the matter of the application of Amanda Brooks for identification as a Mississippi Choctaw.

Amanda Brooks, having been first duly sworn, upon her oath testifies as follows:

Examination by the Commission:

- Q What is your name? A Amanda Brooks.
Q What is your age? A Twenty three.
Q What is your post office address? A Sturgis, Mississippi.
Q What county? A Oktibbeha.
Q How long have you lived in Mississippi? A All my life .
Q Is your father living? A No sir.
Q What was his name? A Philip Quinn.
Q Is your mother living? A Yes sir.
Q What is her name? A Emily Quinn.
Q Through which one of your parents do you derive your Choctaw blood?
A My mother.
Q What proportion of Choctaw blood do you claim to have? A I couldn't tell that---people claim at home I look like a half Injun---reckon I must be quarter.
Q Your father had no Choctaw Indian blood at all? A No sir.
Q Was your mother ever recognized in any manner or enrolled as a member of the Choctaw tribe of Indians by the Choctaw tribal authorities or by the authorities of the United States? A I don't know.
Q Are you married? A Yes sir.
Q Is your husband living? A Yes sir.
Q What is his name? A Carter Brooks.
Q Do you make any claim for him? A No sir.
Q He has no Choctaw blood? A No sir.
Q Have you any children? A No sir.
Q This application is solely on your own behalf? A Yes sir.
Q Is your name to be found upon any of the Choctaw tribal rolls in the Indian Territory? A No sir.
Q Did you ever make application to the Choctaw tribal authorities in the Indian Territory to be enrolled as a member of that tribe?
A No sir.
Q Did any one ever make such an application in your behalf? A No.
Q Did you or any one for you in 1896 make application to the Commission to the Five Civilized Tribes for citizenship in the Choctaw Nation? A No sir.
Q Then you never have been admitted to citizenship in the Choctaw Nation by the Choctaw tribal authorities, by the Commission to the Five Civilized Tribes, or by the United States Court for the Indian Territory? A No sir.
Q Have you ever made application prior to this time to the Choctaw tribal authorities or the United States authorities to be admitted or enrolled as a citizen of the Choctaw Nation? A No sir.
Q This then is the first application of any description that has ever been made in your behalf? A Yes sir.
Q Is it now your purpose to make application for ~~the~~ identification as a Mississippi Choctaw? A Yes sir.
Q Do you claim your rights as a beneficiary under the provisions of the fourteenth article of the treaty of 1830 between the United States and the Choctaw Indians? A I don't know.
Q I will read the fourteenth article of the treaty of 1830 to you:

Amanda Brooks---2.

"Each Choctaw head of a family being desirous to remain and become a citizen of the States shall be permitted to do so by signifying his intention to the agent within six months from the ratification of this treaty, and he or she shall thereupon be entitled to a reservation of six hundred and forty acres of land, to be bounded by sectional lines of survey, in like manner shall be entitled to one half that quantity for each unmarried child ~~which~~ is living with him over ten years of age, and a quarter section to such child as may be under ten years of age, to adjoin the location of the parent. If they reside upon said lands intending to become citizens of the states for five years after the ratification of this treaty, in that case a grant in fee simple shall issue. Said reservation shall include the present improvements of the head of the family, or a portion of it. Persons who claim under this article shall not lose the privilege of a Choctaw citizen, but, if they ever remove, are not to be entitled to any portion of the Choctaw annuity."

A I want to claim under it.

Q Have you ever received any benefits as a Choctaw Indian? A No.

Q Did any of your ancestors ever receive any benefits as Choctaw Indians? A No sir.

Q Were any of your ancestors residents of the old Choctaw Nation in Mississippi and Alabama and acknowledged members of the Choctaw tribe of Indians in the year 1830 when the treaty of Dancing Rabbit Creek was entered into between the Government of the United States and the Choctaw tribe of Indians? A Not as I know of.

Q Did any of your ancestors within six months after the ratification of the treaty of 1830 signify to the United States Indian Agent for the Choctaws in Mississippi their intention to remain in Mississippi and become citizens of the states? A No sir.

Q Did any of your ancestors ever remove from the old Choctaw Nation in Mississippi and Alabama to the present Choctaw Nation in the Indian Territory at the time of the removal of the larger portion of the Choctaw tribe of Indians between the years 1833 and 1838? A I don't know.

Q Did any of your ancestors ever claim or receive any land in Mississippi under the provisions of the fourteenth article of the treaty of Dancing Rabbit Creek? A Not as I know of.

Q Do you know the names of your grandparents? A No sir.

Q Are there any additional statements you desire to make at this time in support of your application? A No sir.

Q Have you any documentary evidence, affidavits, written testimony of any description, copies of records, deeds or patents, or other proper papers, showing that any of your ancestors were recognized members of the Choctaw tribe of Indians in the year 1830 when the treaty of Dancing Rabbit Creek was entered into between the United States and the Choctaw tribe of Indians, or that any of them ever complied or attempted to comply with the provisions of the fourteenth article of that treaty or ever received any benefits thereunder? A No sir.

This applicant has the appearance of being a negro, though her hair would indicate that she might be possessed of a small proportion of Choctaw blood.

The decision of the Commission as to your application for identification as a Mississippi Choctaw will be determined at the earliest possible date and a report of the same made to the Secretary of the Interior, conformable to the provisions of the twenty-first section of the act of Congress of June 28, 1898, and a copy of the same will be mailed to you at your post office address as given in your testimony.

Amara Brooks---3.

H.C.Risteen, having been first duly sworn, upon his oath states: That as stenographer to the Commission to the Five Civilized Tribes he reported in full all proceedings had in the above entitled cause on the 29th day of April, 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes of said proceedings on said date.

H.C. Risteen

Subscribed and sworn to before me at Philadelphia, Mississippi, this 29th day of April, 1901.

Howell I. Quinn

Justice of the Peace in and
for District No. 1, Neshoba
County, Mississippi.

M.C.R. 1982.

Muskogee, Indian Territory October 28, 1902.

Amanda Brooks,

Sturgis, Mississippi.

Dear Madam:

You are hereby advised that on the 28th day of October 1902, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Emily Quinn, et al., embracing the following applications for identification as Mississippi Choctaws:

Emily Quinn, et al.,	M.C.R. 1983
George Quinn,	M.C.R. 1981
Amanda Brooks,	M.C.R. 1982

These applications were made under the provision of the act of Congress of June 28, 1898 (30 Stats., 495) which is as follows:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses, and perform all other acts necessary thereto and make report to the Secretary of the Interior."

Said decision concludes as follows:

"It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Emily Quinn, Aena Quinn, George Quinn and Amanda Brooks, as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the applications for their identification as such should be refused, and it is so ordered."

A B-2

You are further advised that you will be allowed fifteen days from the date hereof within which to file arguments in this office, and that at the expiration of said time the papers in the case, together with such arguments, will be forwarded for review to the Secretary of the Interior through the Commissioner of Indian Affairs.

Respectfully

(SIGNED)

C. R. Breckinridge.
Commissioner in Charge.

Registered.

M.C.R. 1982

COPY

Muskogee, Indian Territory, February 21, 1903.

Amanda Brooks,

Sturgis, Mississippi

Dear Madam:-

You are hereby notified that on the 5th day of February, 1903, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of Emily Quinn et al., of which decision you were advised by registered mail on the 28th day of October, 1902.

Respectfully,

James D. Doby.

Acting Chairman

For Identification as a Mississippi Choctaw.

Date APR 29 1901

Name Amanda Brooks

Age 23 Blood 1/4

Post Office, Sturgis, Miss.

Father: Philip Quinn (dead)

Mother: Emily Quinn L

Claims through mother

(Claims for survey only)

~~Children:~~

Stenographer

H.C. Rietens

REFUSED

Amanda Brook

DECISION RENDERED. OCT 20 1902

NOTICE OF DECISION MAILED APPLICANT.

OCT 28 1902

IN RE OF APPLICATION MADE BY ATTORNEYS
FOR THE CHICKASAW AND CHICKSAW NATIONS.

OCT 28 1902

RECEIVED FORWARDED DEPARTMENT.

APPROVED BY SECRETARY OF INTERIOR.

NOTICE OF DEPARTMENTAL ACTION
FORWARDED APPLICANT.

DEPARTMENTAL ACTION
FORWARD ATTORNEYS FOR CHICKTAW
AND CHICKSAW NATIONS.

REF. O.M.C.R. 1983

Choctaw MCR 1983

Emily Quinn

MCR 1983

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

---0---

In the matter of the application of Emily Quinn, et al.,
for identification as Mississippi Choctaws, consolidating the appli-
cations of-

Emily Quinn, et al	M.C.R. 1983
George Quinn	• 1981
Amanda Brooks	• 1982

List of papers forwarded to the Secretary of the Interior
comprising the record in the consolidated case of
Emily Quinn, et al.

(Page)

Original application of Emily Quinn, et al., before the Dawes Commission for identification as Mississippi Choctaws	1
Original application of George Quinn before the Dawes Commission for identification as a Mississippi Choctaw	2
Original application of Amanda Brooks before the Dawes Commission for identification as a Mississippi Choctaw	3
Decision of the Commission refusing the application of Emily Quinn, et al., for identification as Mississippi Choctaws	4

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DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
PHILADELPHIA, MISSISSIPPI, April 29, 1901.

In the matter of the application of Emily Quinn for the identification of herself and one minor child as Mississippi Choctaws.

Emily Quinn, having been first duly sworn, upon her oath testifies as follows:

Examination by the Commission:

- Q What is your name? A Emily Quinn.
Q What is your age? A Seventy two.
Q What is your post office address? A Sturgis, Oktibbeha County, Mississippi.
Q How long have you lived in Mississippi? A I was born and bred in Mississippi--raised here.
Q You have lived here all your life? A Yes sir.
Q Is your father living? A I don't know.
Q What is your father's name? A Leroy McGowan.
Q Is your mother living? A No sir.
Q What was her name? A Becky.
Q Through which one of these parents do you derive your Choctaw blood? A My mother.
Q What proportion of Choctaw blood do you claim to have? A Half.
Q You claim your mother was a full blood Choctaw? A Yes sir.
Q Was your mother ever recognized in any manner or enrolled as a member of the Choctaw tribe of Indians by the Choctaw tribal authorities or by the authorities of the United States? A I couldn't tell you--my mother died when I was a little bit of a girl--I was not large enough to know she was dead until they told me.
Q Do you know the names of your mother's mother and father? A No.
Q Did your mother have a Choctaw name? A Yes sir.
Q What was it? A Becky Pilcher.
Q That is an English name--I mean did she have an Indian name?
A I don't know.
Q Was your mother a slave? A Yes sir.
Q You were a slave? A Yes sir.
Q If your mother was a slave, she certainly was not a full blood Choctaw Indian, was she? A I don't know---I am just telling you what older people told me. They told me she was full blooded Indians---Squaw they called her.
Q Did she speak the Choctaw language? A I was not big enough to know when my mother died.
Q Can you speak the Choctaw language? A Yes sir, but I have not been raised with the Injuns, but I can talk it.
Q You couldn't swear positively that your mother was a full blood Choctaw? A I am just telling you just like I stated. I am telling you just what black and white folks told me. I was so small I didn't know much about my mother. I was not big enough to know my mother was dead when she died, until they told me she was dead. I thought she was asleep.
Q Did your mother live in Mississippi? A Yes sir.
Q All her life? A She was fetched from Alabama.
Q What part of Alabama? A I couldn't tell you--Choctaw, I reckon, if there was any Choctaw---because they went by Choctaws.
Q Are you sure she was not a Creek Indian? A I guess not--they said she was a Choctaw and they always called me Choctaw, and they claimed kin with me and I got so I claimed kin with them.
Q Are you married? A Been married---I am a widow now.
Q What was your husband's name? A Philip Quinn.
Q Have you any children under twenty one years of age and unmarried?
A One.

Baily Quinn---2.

- Q What is the child's name? A Anna Quinn.
- Q How old is she? A Nineteen.
- Q Is she living with you? A Yes sir.
- Q You are the mother of Anna Quinn? A Yes sir.
- Q What is her father's name? A Philip Quinn.
- Q Do you claim this child derives her Choctaw blood solely through you? A Yes sir.
- Q This application then is for yourself and one daughter only?
- A Yes sir.
- Q Is your name or the name of this daughter on any of the tribal rolls of the Choctaw Nation in the Indian Territory? A I don't know.
- Q Have you ever made application to the Choctaw tribal authorities in the Indian Territory for yourself or this child to be enrolled as members of the Choctaw tribe of Indians? A No sir.
- Q Did you or any one for you in 1896 make application to the Commission to the Five Civilized Tribes for citizenship in the Choctaw Nation for yourself or this daughter? A No sir.
- Q Then neither you nor your daughter Anna have ever been admitted to citizenship in the Choctaw Nation by the Choctaw tribal authorities, the Commission to the Five Civilized Tribes or by the United States Court in Indian Territory? A No sir.
- Q Have you ever made application prior to this time to either the Choctaw tribal authorities or the United States authorities to be enrolled or admitted as members of the Choctaw tribe of Indians?
- A No sir.
- Q This then is your first application of any description? A Yes sir.
- Q Is it now your purpose to make application for identification as Mississippi Choctaws for yourself and this minor daughter? A Yes.
- Q Do you claim your rights as beneficiaries under the provisions of the fourteenth article of the treaty of 1830 between the United States and the Choctaw Indians? A Yes sir.
- Q Have you ever received any benefits as a Choctaw Indian? A No.
- Q Has your daughter ever received any? A No sir.
- Q Have any of your ancestors ever received any benefits as Choctaw Indians? A No sir.
- Q Were any of your ancestors residents of the old Choctaw Nation in Mississippi and Alabama and acknowledged members of the Choctaw tribe of Indians in the year 1830 when the treaty of Dancing Rabbit Creek or the treaty of 1830 between the United States government and the Choctaw Indians was entered into? A No, not as I know of.
- Q Did any of your ancestors remove from the old Choctaw Nation in Mississippi and Alabama to the present Choctaw Nation in the Indian Territory at the time of the removal of the greater portion of the Choctaw tribe of Indians between the years 1833 and 1838? A No, not that I know of.
- Q Did any of your ancestors within six months after the ratification of the treaty of 1830 between the United States government and the Choctaw tribe of Indians signify to the United States Indian Agent here in Mississippi their intention to remain in Mississippi and become citizens of the United States? A Not as I know of.
- Q Did any one in your behalf within six months after the ratification of the treaty of Dancing Rabbit Creek signify to the United States Indian Agent for the Choctaw Indians in Mississippi that it was your intention to remain in Mississippi and become a citizen of the states? A I don't know.
- Q Did you or any of your ancestors ever receive or claim any land in the state of Mississippi as beneficiaries under the provisions of the fourteenth article of the treaty of Dancing Rabbit Creek or the treaty of 1830 between the United States government and the Choctaw tribe of Indians? A No sir, not as ever I knowed of.

Baily Quinn---3.

Q Are there any additional statements you desire to make at this time in support of your application? A No sir.

Q Have you any documentary evidence, affidavits, written testimony of any description, copies of records, deeds or patents, ~~showing~~ or other proper papers showing that any of your ancestors were recognized members of the Choctaw tribe of Indians in 1830 when the treaty of Dancing Rabbit Creek was entered into between the United States government and the Choctaw tribe of Indians, or that any of your ancestors complied or attempted to comply with the provisions of the fourteenth article of that treaty or ever received any benefits thereunder? A No sir.

This applicant shows slight indications of being possessed of Indian blood, although from her appearance negro blood predominates.

The decision of the Commission as to this application which you make for the identification of yourself and your minor child as Mississippi Choctaws will be determined at the earliest possible date and a report of the same made to the Secretary of the Interior conformable to the provisions of the twenty first section of the act of Congress of June 28 1898, and a copy of the same will be mailed to you at your post office address as given in your testimony.

H.C. Risteen, having been first duly sworn, upon his oath states That as stenographer to the Commission to the Five Civilized Tribes he reported in full all proceedings had in the above entitled cause on the 29th day of April, 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes of said proceedings on said date.

H.C. Risteen

Subscribed and sworn to before me at Philadelphia, Mississippi, this 29th day of April, 1901.

Harrell S. Quinn

Justice of the Peace in and for
District No. 1, Neshoba County,
Mississippi.

J. F. H.
C. W.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application of Emily Quinn, et al.,
for identification as Mississippi Choctaws, consolidating the appli-
cations of-

Emily Quinn, et al	M.C.R. 1983
George Quinn	" 1981
Amanda Brooks	" 1982

--: D E C I S I O N :--

It appears from the record herein that applications for
identification as Mississippi Choctaws were made to this Commission
by Emily Quinn for herself and her minor child, Anna Quinn; by
George Quinn for himself, and by Amanda Brooks for herself, under
the following provision of the act of Congress approved June 28,
1898 (30 Stats., 498):

"Said Commission shall have authority to determine the
identity of Choctaw Indians claiming rights in the Choctaw lands
under article fourteen of the treaty between the United States
and the Choctaw Nation, concluded September twenty-seventh,
eighteen hundred and thirty, and to that end may administer
oaths, examine witnesses and perform all other acts necessary
therein and make report to the Secretary of the Interior."

It also appears that all of said applicants claim rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, by reason of being descendants of one Becky Pilcher, who is alleged to have been a full blood Choctaw Indian and to have resided in Mississippi in eighteen hundred and thirty.

It further appears from the evidence submitted in support of said applications, and from the records in the possession of the Commission, that none of said applicants has ever been enrolled by the Choctaw tribal authorities as a member of the Choctaw tribe, or admitted to Choctaw citizenship by a duly constituted court or committee of the Choctaw Nation, or by the Commission to the Five Civilized Tribes, or by a decree of the United States Court in Indian Territory, under the provisions of the act of Congress approved June 10, 1896 (29 Stats., 321).

It does not appear from the testimony and evidence offered in support of said applications, or from the records in the possession of the Commission relating to persons who complied or attempted to comply with the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and to persons who heretofore were claimants thereunder, that the said Becky Pilcher, or the principal applicant herein, signified (in person or by proxy) to Colonel Wm. Ward, Indian Agent, Choctaw Agency, an intention to comply with the provisions of said article fourteen, or presented a claim to rights thereunder to either of the Commissions authorized to adjudicate

such claims by the acts of Congress Approved March 3, 1837 (5 Stats., 160) and August 23, 1842 (5 Stats., 513).

It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Emily Quinn, Anna Quinn, George Quinn and Amanda Brooks, as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the applications for their identification as such should be refused, and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

SIGNED,

Tamr Bixby.

Acting Chairman.

SIGNED,

I. B. Neccles

Commissioner.

SIGNED,

J. H. Breckinridge

Commissioner.

Muskogee, Indian Territory,

OCT 28 1902

COPY

M.C.R. 1982

Muskogee, Indian Territory October 28, 1902.

Messrs. Mansfield, McMurray & Cornish,

Attorneys for the Choctaw and Chickasaw Nations.

South McAlester, Indian Territory.

Gentlemen:

You are hereby advised that on the 28th day of October 1902, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Emily Quinn, et al., embracing the following applications for identification as Mississippi Choctaws:

Emily Quinn, et al.,	M.C.R. 1983
George Quinn,	M.C.R. 1981
Amanda Brooks,	M.C.R. 1982.

These applications were made under the provision of the act of Congress of June 28, 1898 (30 Stats., 495) which is as follows:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses, and perform all other acts necessary thereto and make report to the Secretary of the Interior."

Said decision concludes as follows:

"It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Emily Quinn, Anna Quinn, George Quinn and Amanda Brooks, as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the applications for their identification as such should be refused, and it is so ordered."

M M & C-2

You are further advised that the principal applicants in this case have been allowed fifteen days from the date hereof within which to file arguments in this office, and that at the expiration of said time the papers in the case, together with such arguments, will be forwarded for review to the Secretary of the Interior through the Commissioner of Indian Affairs.

Respectfully,

(SIGNED)

[Signature]
Commissioner in Charge.

COPY

M.C.R. 1983.

Muskogee, Indian Territory October 28, 1902.

Emily Quinn,

Sturgis, Mississippi.

Dear Madam:

You are hereby advised that on the 28th day of October 1902, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Emily Quinn, et al., embracing the following applications for identification as Mississippi Choctaws:

Emily Quinn, et al.,	M.C.R. 1983
George Quinn,	M.C.R. 1981
Amanda Brooks,	M.C.R. 1982.

These applications were made under the provision of the act of Congress of June 28, 1898 (30 Stats., 495) which is as follows:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses, and perform all other acts necessary thereto and make report to the Secretary of the Interior."

Said decision concludes as follows:

"It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Emily Quinn, Anna Quinn, George Quinn and Amanda Brooks, as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the applications for their identification as such should be refused, and it is so ordered."

E Q-2

You are further advised that you will be allowed fifteen days from the date hereof within which to file arguments in this office, and that at the expiration of said time the papers in the case, together with such arguments, will be forwarded for review to the Secretary of the Interior through the Commissioner of Indian Affairs.

Respectfully,

(SIGNED)

C. R. Breckinridge.
Commissioner in Charge.

Registered.

Miss. Choctaw h 1983

Muskogee, Indian Territory, November 11, 1902.

Hughston & Seawright,

Ackerman, Mississippi,

Gentlemen:

Receipt is hereby acknowledged of your letter of November 7, asking that the cases of Emily Quinn, et al. applicants for identification as Mississippi Choctaws, be reopened for the hearing of further testimony therein.

In reply to your letter you are advised that there is nothing contained in your letter showing the compliance of any of the ancestors through whom these applicants claim with the provisions of article fourteen of the treaty of 1830, and the decision of the Commission denying the applications of these persons for identification as Mississippi Choctaws having already been rendered; you are advised that at the expiration of the fifteen days from October 28, 1902, heretofore granted for the filing of argument for submission to the Secretary of the Interior, through the Commissioner of Indian Affairs, the record in these cases, together with such papers as may have been offered, will be transmitted to the Secretary of the Interior for review.

Respectfully,

John H. Johnston

COPY

Muskogee, Indian Territory, November 13, 1902.

The Honorable,

The Secretary of the Interior.

Sir:-

There is transmitted herewith the record in the consolidated case of Emily Quinn, et al., applicants to the Commission for identification as Mississippi Choctaws, including the decision of the Commission of October 28, 1902.

The above consolidated case embraces the following original applications for identification as Mississippi Choctaws heard by the Commission:

Emily Quinn, et al.,	M C R 1983
George Quinn,	M C R 1981
Amanda Brooks,	M C R 1982

The Commission has the honor to report that the principal applicants in the several separate applications and the attorneys for the Choctaw and Chickasaw Nations have been duly advised by letter of the action of the Commission, copies of said letters being attached to the record.

Respectfully,

James Dixey.

Acting Chairman.

Through the
Commissioner of Indian Affairs.
Enc. M..C.R. 1983

-:- COPY -:-

D.C. 3958
ITD.358-1903.
U.R.S.

DEPARTMENT OF THE INTERIOR,
WASHINGTON.

J.W.H.
EAF.

February 5, 1903.

Commission to the Five Civilized Tribes,
Muskogee, I. T.

Gentlemen:

November 13, 1902, you transmitted the record in the consolidated case involving the applications for identification as Mississippi Choctaws, of Emily Quinn and her minor child, Anna Quinn; of George Quinn, and of Amanda Brooks.

The applicants claim rights in Choctaw lands under article 14 of the treaty of September 27, 1830, by reason of being descendants of one Becky Pilcher, who is alleged to have been a full blood Choctaw Indian residing in Mississippi in 1830.

The record fails to show that any one of the applicants was ever admitted or enrolled as a citizen of the Choctaw Nation, or that said Becky Pilcher, or the principal applicant in the case, complied or attempted to comply with article 14 of the treaty of September 27, 1830, or with either of the acts of March 3, 1837 (5 Stat., 180), and August 23, 1842 (5 Stat., 513). You refused the application October 28, 1903. Forwarding the papers January 14, 1903, the Commissioner of Indian Affairs recommends that your decision be approved. A copy of his letter is inclosed herewith. Upon a careful consideration of the record in the case, the Department affirms your decision.

Respectfully,

Thos. Ryan, Acting Secretary

1 inclosure.

-:- COPY -:-

Land.
68332-1902.

DEPARTMENT OF THE INTERIOR,

Office of Indian Affairs,

Washington, Jan. 14, 1903.

The Honorable

The Secretary of the Interior.

Sir:

I have the honor to transmit, herewith, for your consideration, application in the consolidated case of Emily Quinn for herself and her minor child Anna Quinn, George Quinn for himself and Amanda Quinn (nee Brooks) for herself, for identification as Mississippi Choctaw Indians, wherein a decision adverse to them was rendered by the Commission to the Five Civilized Tribes, October 28, 1902. The testimony in this case shows that the applicants base their claims to identification on their descent from Becky McGowan (or Becky Pilcher) their common ancestor, whom it is alleged was a member of the Choctaw tribe of Indians in Mississippi in 1830.

The Commission rejected the applicants because it did not appear from its records that the ancestor claimed under by the applicants complied or attempted to comply with the provisions of the 14th article of the treaty of 1830.

An examination of the records of this office discloses the fact that name of Becky McGowan (or Becky Pilcher) does not appear among the names of those Choctaw Indians who complied or attempted to comply with the provisions of the 14th article of the Choctaw

-:- 3 -:-

treaty of 1830, neither does it appear that she applied to the Commissions appointed under Acts of March 3, 1837 and August 23, 1842, for an adjudication of her rights, if she had any, as a Choctaw Indian. These being the facts, it is evident that the decision of the Commission was correct, and I therefore recommend that the decision of the Commission rejecting the parties hereto be approved.

Very respectfully,

W. A. Jones,

Commissioner.

C.T.C.

L.

M.C.R. 1983

COPY

Muskogee, Indian Territory, February 21, 1903.

Mansfield, McMurray & Cornish,

Attorneys for the Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:-

You are hereby notified that on the 5th day of February, 1903, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of Emily Quinn et al., of which decision you were advised by mail on the 28th day of October, 1902.

Respectfully,

Tamc D. D. D.
Chairman

COPY.

M.C.R. 1983

Muskogee, Indian Territory, February 21, 1903.

Emily Quinn,

Sturgis, Mississippi.

Dear Madam:-

You are hereby notified that on the 5th day of February, 1903, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of Emily Quinn et al., of which decision you were advised by registered mail on the 28th day of October, 1902.

Respectfully,

(SIGNED)

James D. Birney
Acting Chairman

For Identification as a Mississippi Choctaw.

Date APR 29 1901

Name Emily Quinn

Age 72

Blood L

Post Office, Sturgis, Miss

Father: L. Roy McGown L(?)

Mother: Ricky Pilcher dead

Claims through mother

Husband Philip Quinn (dead)

(Claims for herself and one
minor child)

Children.

Anna Quinn

19

Stenographer

H. C. Rieten

RECEIVED

Emily Quinn, et al.
1983

DECISION

FEB. 00

1902

DECISION MAILED APPLICANT.

FEB 08 1902

NOTICE OF DECISION MAILED ATTORNEYS
FOR CHOCTAW AND CHICKASAW NATIONS.

RECORD FORWARDED DEPARTMENT.

NOV 15 1902

ACTION APPROVED BY SECRETARY OF INTERIOR.

FEB

1903

NOTICE OF DEPARTMENTAL ACTION
FORWARDED APPLICANT.

FEB 21 1903

NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEYS FOR CHOCTAW
AND CHICKASAW NATIONS.

REFER TO M. C. R. 1981, 1982.

Becky Pilcher (fl.?)
Slave- (dead)
(married)
Leroy M. Gowan

mer
1983
Emily Quinn 12- $\frac{1}{2}$
husband
Philip Quinn
(negro-slave) (dead)

mer
1983
Anna Quinn 19

mer
1981
George Quinn 25- $\frac{1}{4}$

mer
1982
Amanda Quinn 23- $\frac{1}{4}$
mar

Carter Brooks

Consolidated Case
of
Emily Quinn et al

5

1983

CARD No. NAME RESIDENCE COUNTY POST OFFICE AGE SEX

Choctaw MCR 1984

Jim Polk Stephen

MCR 1984

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

The within record is in the matter of the application
of Jim Polk Stephen , et al., for identification as
Mississippi Choctaws-----M.C.R. 1984

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

In the matter of the application of Jim Polk Stephen,
et al., for identification as Mississippi Choctaws,
M.C.R. 1984.

---- I N D E X ----

	Page
Original application of Jim Polk Stephen, et al., to the Dawes Commission for identification as Mississippi Choctaws-----	1

Decision of the Commission identifying the applicants in the application of Jim Polk Stephen, et al., as Mississippi Choctaws	5
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1984

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Philadelphia, Mississippi, April 30, 1901.

In the matter of the application of Jim Polk Stephens for the identification of himself and his wife as Mississippi Choctaws.

Jim Polk Stephens, having been first duly sworn, upon his oath testifies as follows through Tom Tubbee duly sworn interpreter:

Examination by the Commission:

- Q What is your name? A Jim Polk Stephens.
- Q What is your age? A Twenty two.
- Q What is your post office address? A Philadelphia, Neshoba County Mississippi.
- Q How long have you lived in Mississippi? A My lifetime.
- Q Is your father living? A Yes.
- Q What is his name? A Stephen Jim.
- Q Is your father a full blood Choctaw? A Yes.
- Q Is your mother living? A Yes.
- Q What is her name? A Betsie Stephen or Betsie Jim.
- Q Is she a full blood Choctaw? A Yes.
- Q You claim to be a full blood Choctaw? A Yes.
- Q Have your father and mother always lived in Mississippi? A Yes.
- Q Do you know the names of your grandparents? A No, don't know.
- Q As far as you know, have all of your ancestors always lived in Mississippi? A Yes, reckon so.
- Q Have either of your parents ever been recognized in any manner or enrolled as members of the Choctaw tribe of Indians in the Indian Territory by the Choctaw tribal authorities or by the United States authorities? A Don't know.
- Q Are you married? A Yes.
- Q Is your wife living? A Yes.
- Q What is her name? A Agnes.
- Q Is Agnes a full blood Choctaw? A Yes.
- Q What is her age? A About seventeen or eighteen.
- Q Has your wife always lived in Mississippi? A Yes.
- Q Is your wife's father living? A Yes.
- Q What is his name? A Jesse Billy.
- Q Is he a full blood Choctaw? A Yes.
- Q Is your wife's mother living? A No.
- Q What was your wife's mother's name? A Don't know.
- Q Was she a full blood Choctaw? A Yes.
- Q Did she always live in the state of Mississippi? A Yes.
- Q Did your wife's father always live in the state of Mississippi? A Yes.
- Q Do you know the names of your wife's grandparents? A No.
- Q Have either of your wife's parents ever been recognized in any manner or enrolled as members of the Choctaw tribe of Indians by the Choctaw tribal authorities or by the United States authorities? A Don't know.
- Q Have all of your wife's ancestors always lived in the state of Mississippi so far as you know? A Yes.
- Q When were you married to Agnes? A First of April.
- Q This year? A Yes.
- Q Were you married under license or by the Choctaw custom? A A license -- bought it from the clerk at Philadelphia.
- Q Who performed the ceremony? A Jim Harrison, a Justice of the Peace.
- Q This application then is only for yourself and wife? A Yes.
- Q Is your name or your wife's name to be found on any of the Choctaw tribal rolls in the Indian Territory? A Don't know.
- 1

Jim Polk Stephen---2.

Q Did you or any one for you or your wife or any one for her ever make application to the Choctaw tribal authorities in the Indian Territory to be enrolled as members of that tribe? A Don't know.

Q Did you or any one for you, or your wife or any one for her, in the year 1896 make application to the Commission to the Five Civilized Tribes for citizenship in the Choctaw Nation? A Don't know.

Q Have you or your wife ever been admitted to citizenship in the Choctaw Nation by the Choctaw tribal authorities, the Commission to the Five Civilized Tribes or the United States Court for the Indian Territory? A Don't know.

Q Have you ever made application prior to this time to either the Choctaw tribal authorities or to the United States authorities to be admitted or enrolled as citizens of the Choctaw Nation or has any one made such an application for you? A Don't know.

The records of the Commission show that on January 30, 1899, application was made to the Commission at Philadelphia, Mississippi, for the identification of Jim Polk Stephen as a Mississippi Choctaw, his name appearing upon Mississippi Choctaw Card Field No. 142; also upon page 53 of the schedule of Mississippi Choctaws which accompanied the report of March 10, 1899, of the Commission to the Five Civilized Tribes to the Secretary of the Interior as to the identity of Choctaw Indians residing in Mississippi and claiming rights in the Choctaw lands under the provisions of article fourteen of the treaty of Dancing Rabbit Creek, being No. 497 thereon.

Q Your mother made application for you to the Commission here at Philadelphia two years ago? A Yes.

Q Did your wife or any one for her prior to this time make application either to the Choctaw tribal authorities or to the authorities of the United States to be enrolled or admitted as citizen of the Choctaw Nation? A Don't know.

The records of the Commission show that on January 31, 1899, application was made to the Commission at Philadelphia, Mississippi for the identification of Agnes Billey as a Mississippi Choctaw, her name appearing upon Mississippi Choctaw Card Field No. 235, also upon page 65 of the schedule of Mississippi Choctaws which accompanied the report of March 10, 1899, of the Commission to the Five Civilized Tribes to the Secretary of the Interior as to the identity of Choctaw Indians residing in Mississippi claiming rights in the Choctaw lands under the provisions of the 14th article of the treaty of Dancing Rabbit Creek, being No. 811 thereon.

Q Is it now your purpose to make application for the identification of yourself and your wife as Mississippi Choctaws? A Yes.

Q Do you claim your rights as beneficiaries under the provisions of the fourteenth article of the treaty of Dancing Rabbit Creek? A Don't know.

The fourteenth article of the treaty of 1830 reads as follows: "Each Choctaw head of a family being desirous to remain and become a citizen of the states shall be permitted to do so, by signifying his intention to the Agent within six months from the ratification of this Treaty, and he or she shall thereupon be entitled to a reservation of ~~land~~ one section of six hundred and forty acres of land, to be bounded by sectional lines of survey; in like manner shall be entitled to one half that quantity for each unmarried child which is living with him over ten years of age; and a quarter section to such child as may be

Jim Polk Stephen---3.

under ten years of age to adjoin the location of the parent. If they reside upon said lands intending to become citizens of the states for five years after the ratification of this treaty, in that case, a grant in fee simple shall issue; said reservation shall include the present improvements of the head of the family or a portion of it. Persons who claim under this article shall not lose the privilege of a Choctaw citizen, but if they ever remove are not entitled to any portion of the Choctaw annuity."

Q Have you ever received any benefits as a Choctaw Indian? A No.

Q Has your wife ever received any benefits as a Choctaw? A No.

Q Have any of your ancestors or any of your wife's ancestors ever received any benefits as Choctaw Indians? A I don't know.

Q Were any of our ancestors or any of your wife's ancestors living in the old Choctaw Nation in Mississippi and Alabama in the year 1830 when the treaty of Dancing Rabbit Creek was made between the United States and the Choctaws? A Don't know.

Q Were any of your ancestors or any of your wife's ancestors recognized members of the Choctaw tribe of Indians at that time? A Don't know.

Q Did any of your ancestors or any of your wife's ancestors remove from the old Choctaw Nation in Mississippi and Alabama to the present Choctaw Nation out in the Indian Territory when the main part of the Choctaw tribe of Indians moved in the years 1833 to 1838? A Don't know.

Q Did any of your ancestors or any of your wife's ancestors within six months after the ratification of the treaty of Dancing Rabbit Creek signify to the United States Indian Agent for the Choctaw Indians in Mississippi their intention to remain here and become citizens of the states? A Don't know.

Q Did any of your ancestors or any of your wife's ancestors ever claim or receive any land in Mississippi as beneficiaries under the fourteenth article of the treaty of Dancing Rabbit Creek? A Don't know.

Q Are there any additional statements you desire to make in support of your application? A No.

Q Have you any documentary evidence, affidavits, written testimony of any description, copies of records, deeds or patents or any other proper papers showing that any of your ancestors or any of your wife's ancestors were in the year 1830 when the treaty of Dancing Rabbit Creek was made between the United States and the Choctaws recognized members of the Choctaw tribe of Indians, or that any of them complied or attempted to comply with the provisions of the fourteenth article of that treaty or ever received any benefits under that article? A No.

This applicant is to all appearances a full blood Choctaw Indian. He speaks the Choctaw language and very little English the examination having been conducted chiefly through a sworn Choctaw Interpreter.

The decision of the Commission as to your application for the identification of yourself and your wife as Mississippi Choctaws will be determined at the earliest possible date and a report of the same made to the Secretary of the Interior conformable to the provisions of the twenty first section of the act of Congress of June 28th, 1898, and a copy of the same will be mailed to you at your post office address as given in your testimony.

H.C. Risteen, having been first duly sworn, upon his oath states: That as stenographer to the Commission to the Five Civilized Tribes he reported in full all proceedings had in the above entitled cause on the 30th day of April 1901, and that the above and foregoing

Jim Polk Stephen----4 .

is a full, true and correct transcript of his stenographic notes of
said proceedings on said date.

H. C. Risteen

Subscribed and sworn to before me at Philadelphia, Mississippi,
this 1st day of May, 1901.

Howell I. Quinn

Justice of the Peace in and
for District No. 1, Neshoba
County, Mississippi.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

Over

In the matter of the application of Jim Polk Stephen,
et al., for identification as Mississippi Choctaws, M.C.R. 1984

----- D E C I S I O N -----

It appears from the record herein that application for identification as Mississippi Choctaws was made to this Commission on April 30, 1901, by Jim Polk Stephen for himself and his wife, Agnes Stephen, under the following provision of the Act of Congress approved June 28, 1898 (30 Stats. 495):

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto and make report to the Secretary of the Interior."

From the evidence submitted in support of said application it appears that both the applicants are full blood Mississippi Choctaw Indians.


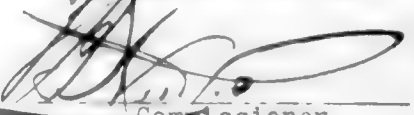

Section forty-one of the Act of Congress entitled "An Act

to ratify and confirm an agreement with the Choctaw and Chickasaw tribes of Indians, and for other purposes" approved July 1, 1902, (32 Stats. 641) and ratified by the Choctaw and Chickasaw Nations September 25, 1902, provides as follows:

"The application of no person for identification as a Mississippi Choctaw shall be received by said Commission after six months subsequent to the date of the final ratification of this agreement and in the disposition of such applications all full blood Mississippi Choctaw Indians and the descendants of any Mississippi Choctaw Indians whether of full or mixed blood who received a patent to land under the said fourteenth article of the said treaty of eighteen hundred and thirty who had not moved to and made bona fide settlement in the Choctaw-Chickasaw country prior to June twenty-eighth, eighteen hundred and ninety-eight, shall be deemed to be Mississippi Choctaws, entitled to benefits under article fourteen of the said treaty of September twenty-seventh, eighteen hundred and thirty, and to identification as such by said Commission, but this direction or provision shall be deemed to be only a rule of evidence and shall not be invoked by or operate to the advantage of any applicant who is not a Mississippi Choctaw of the full blood or who is not the descendant of a Mississippi Choctaw who received a patent to land under said treaty, or who is otherwise barred from the right of citizenship in the Choctaw Nation, all of said Mississippi Choctaws so enrolled by said Commission shall be upon a separate roll."

It is, therefore, the opinion of this Commission that Jim Polk Stephen and Agnes Stephen should be identified as Mississippi Choctaws, and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES


Acting Chairman

Commissioner

C. A. Buchanan
Commissioner

Muskogee, Indian Territory.

FEB 14 1903

6

COPY:

M.C.R. 1884

Muskogee, Indian Territory, February 21, 1903.

Manefield, McMurray & Cernish,

Attorneys for the Choctaw and Chickasaw Nations,

South McAlester, Indian Territory,

Gentlemen:-

Enclosed herewith you will find a copy of the decision of the Commission rendered February 14, 1903, identifying Jim Polk Stephen and his wife, Agnes Stephen, as Mississippi Choctaw Indians under the provisions of the forty-first section of the act of Congress approved July 1, 1902, (32 Stats. 641).

You are hereby advised that you will be allowed fifteen days from the date hereof, in which to file with this Commission such protest as you desire to make against the action of the Commission in identifying the said Jim Polk Stephen and his wife as Mississippi Choctaws, and make satisfactory proof of service of said protest upon the applicants herein.

If you fail to file such protest within the time allowed, the names of the applicants herein will be placed upon the schedule of duly identified Mississippi Choctaws now being prepared by this Commission.

Respectfully,

SIGNED,

James D. Smith
Acting Chairman

Registered
Enclosure O.H. 33

COPY.

M.C.R. 1984

Muskogee, Indian Territory, March 11, 1903.

Jim Polk Stephen,

Philadelphia, Mississippi.

Dear Sir:

Enclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered February 14, 1903, identifying yourself and your wife, Agnes Stephen as Mississippi Choctaw Indians under the provisions of Section 41 of the Act of Congress approved July 1, 1902, (32 Stats., 641).

If you remove to the Choctaw-Chickasaw country, Indian Territory, before August 14, 1903, you will have six months from that date, or until February 14, 1903, within which to make proof of such removal and settlement at the office of the Commission at Atoka, Choctaw nation, or Tishomingo, Chickasaw Nation.

Respectfully,

SIGNED

Jams Bixey

Chairman.

Registered.

Eno. 1984

Muskogee, Indian Territory, August 26, 1903 .

Commissioner in Charge,

Chickasaw Land Office,

Tishomingo, Indian Territory,

Dear Sir:

You are hereby notified that the following notation has been made upon identified Mississippi Choctaw card Number 243 in the possession of this office:

SETTLEMENT ADDRESS "Atoka, Ind. Ter."

DATE OF PROOF OF SETTLEMENT "August 18, 1903."

You are therefore requested to make like notations upon the duplicate Mississippi Choctaw card in the possession of your office.

Respectfully,

Chairman.

No

For Identification as a Mississippi Choctaw.

Date APR 30 1901

Name Jim Polk Stephen

Age 22 Blood full

Post Office Philadelphia Miss.

Father: Stephen 1st

Mother: Retell Stephen or Jim 1st

Claims through both parents

wife Agnes Stephen (full) 18

Father: Jesse Billy 2nd

Mother: do not know (dead)

Children.

(Claims for himself
and wife)

(See Miss. Choctaw card Series No 142 as to
Jim Polk Stephen Testimony of 1/30/99)

See Miss. Choctaw card Series No 235
Testimony of 1/31/99 as to Agnes Stephen

Stenographer

A. C. Risten

IDENTIFICATION
ADMISSION CARD

Jim Polk Stephen, Jr.
1984

COPY OF DECISION FORWARDED
APPLICANT

MAR 11 1903

Choctaw MCR 1985

Stephen Jim

MCR 1985

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

The within record is in the matter of the application
of Stephen Jim, et al., for identification as Mississippi
Choctaws-----M.C.R. 1985

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

In the matter of the application of Stephen Jim, et al.,
for identification as Mississippi Choctaws, ---- M.C.R. 1985.

--- I N D E X -----

	Page
Original application of Stephen Jim, et al., to the Dawes Commission for identification as Mississippi Choctaws -----	1
Decision of the Commission identifying the applicants embraced in the application of Stephen Jim, et al., as Mississippi Choctaws	5

1975

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Philadelphia, Mississippi, April 30, 1901.

In the matter of the application of Stephen Jim for the identification of himself, his wife and one minor child as Mississippi Choctaws.

Stephen Jim, having been first duly sworn, upon his oath testifies as follows through Tom Tubbee duly sworn interpreter:

Examination by the Commission:

- Q What is your name? A Stephen Jim.
- Q What is your age? A Sixty eight.
- Q What is your post office address? A Philadelphia, Neshoba County, Mississippi.
- Q How long have you lived in Mississippi? A All my life.
- Q Where were you born? A Twelve miles from here--Laurel Hill.
- Q What is your father's name? A Jim.
- Q Just Jim--? A I was little boy, don't know.
- Q Is he living? A He died in the nation.
- Q What is your mother's name? A Sophia.
- Q Is she living? A No she done died.
- Q Was your father a full blood Choctaw? A Yes.
- Q Was your mother a full blood? A Yes.
- Q You claim to be a full blood? A Yes.
- Q You claim your Choctaw blood through both parents? A Yes.
- Q Have your parents through whom you claim your right to identification as a Mississippi Choctaw ever been recognized in any manner or enrolled as members of the Choctaw tribe of Indians by the Choctaw tribal authorities or by authorities of the United States?
- A I heard it.
- Q Which did you hear had been enrolled? A I had been heard it my life time.
- Q Your father or mother---which? A My mother.
- Q Did she ever live in the Indian Territory? A I lived there six years and old man die, and mother came back.
- Q You do not know whether they were enrolled except that somebody said so? A I don't know.
- Q When did your father and mother go to the Indian Territory? A I was little boy, and don't know nothing about it. About seventy years ago somewhere along about there.
- Q Are you married? A Yes.
- Q What is your wife's name? A Betsy Jim.
- Q Do you make application for your wife? A Yes.
- Q Is she a full blood? A Yes.
- Q What is her age? A About sixty years old.
- Q When were you married to Betsy? A Forty years ago.
- Q Where were you married? A Three mile from here.
- Q What is your wife's father's name? A Joe.
- Q Is he living? A He done die.
- Q Was he a full blood? A Yes.
- Q What is your wife's mother's name? A Sallie.
- Q Is she living? A Yes.
- Q Is she a full blood? A Yes.
- Q Through which one of her parents does your wife derive her Choctaw blood? A Both.
- Q Your wife claims to be a full blood? A Yes.
- Q Have your wife's parents through whom you claim for her the right of identification as Mississippi Choctaw ever been recognized in any manner or enrolled as members of the Choctaw tribe of Indians by the Choctaw tribal authorities or authorities of the United States?

Stephen Jim---2.

A Yes.

Q Did they ever live in the Indian Territory? A No.

Q They were ~~xxxx~~ not recognized as Choctaw Indians in the Indian Territory or enrolled as Choctaws in the Indian Territory? A No. I don't know.

Q Have you any children under twenty one years of age and unmarried that you want to make application for? A Yes, Lina, a girl.

Q How old is Lina? A Seventeen.

Q Have you any other children under twenty one and unmarried? A No.

Q Is Betsy Jim the mother of Lina? A Yes.

Q Are you the father of Lina? A Yes.

Q Were you and Betsy married by ordained minister or according to the Choctaw custom? A Yes, Choctaw Indian custom.

Q Is your name on any of the tribal rolls in the Indian Territory? A I don't know.

Q You never lived in the Indian Territory? A No.

Q Is your wife's name or your child's name upon the tribal rolls in the Indian Territory? A No.

Q Have you ever made application, or has any one for yourself, your wife or child ever made application, to the Choctaw Tribal authorities in the Indian Territory to be enrolled as members of that tribe? A No.

Q Did ~~xxxx~~ you or any one for you in 1896, or any one for your wife or child in 1896, make application to the Commission to the Five Civilized Tribes in the Indian Territory for citizenship in the Choctaw Nation under the act of Congress of June 10, 1896? A Don't know.

Q Have you, your wife or your child ever been admitted to citizenship in the Choctaw Nation by the Choctaw tribal authorities, the Commission to the Five Civilized Tribes or by the United States Court in Indian Territory? A Don't know.

Q Have you ever made application before this time to either the Choctaw tribal authorities or the authorities of the United States to be admitted or enrolled as a citizen of the Choctaw Nation?

A I have been before the Commission before.

Q When---in 1899? A Yes, two years ago.

Q Is this application that you made two years ago the only application you have ever made besides this one you are making now? A Yes.

The records of the Commission show that on January 31, 1899, applicant Stephen Jim appeared before the Commission at Philadelphia, Mississippi, and made application for identification as a Mississippi Choctaw, his name appearing upon Mississippi Choctaw Card Field No. 241; also upon page 66 of the schedule of Mississippi Choctaws which accompanied the report of March 10 1899 of the Commission to the Five Civilized Tribes to the Secretary of the Interior as to the identity of Choctaw Indians residing in Mississippi and claiming rights in the Choctaw lands under the fourteenth article of the treaty of Dancing Rabbit Creek, being No. 829 thereon.

Q The records show that you did not appear for your wife or child two years ago---why did you not appear for them at that time? A I was not living with my wife two years ago.

Q Was that the reason you did not appear for her? A Yes.

Q What name did your wife go by two years ago? A Sallie Petsie Stephen.

Q Did your wife appear before the Commission two years ago for herself and children? A Yes.

The records of the Commission show that on January 30, 1899, application was made to the Commission to the Five Civilized

Stephen Jim---3.

Tribes at Philadelphia, Mississippi, for the identification of Sallie Betsei Stephen, and her children, Jim Polk, Suela, Manafa and Lina as Mississippi Choctaws. Their names appear upon Mississippi Choctaw Card Field No. 142, and also upon page 53 of the Schedule of Mississippi Choctaws which accompanied the report of March 10, 1899, of the Commission to the Five Civilized Tribes to the Secretary of the Interior as to the identity of Choctaw Indians residing in Mississippi and claiming rights in the Choctaw lands under the fourteenth article of the treaty of Dancing Rabbit Creek being Nos. 496, 497, 498, 499 and 500 thereon.

- Q Jim Polk is over twenty one now? A Yes.
- Q Suela and Manafa-- are they married? A Yes, both married.
- Q Do you now come before the Commission to make application for identification as Mississippi Choctaws for yourself, your wife and one child? A Yes.
- Q Do you claim your rights as beneficiaries under article fourteen of the treaty of 1830? A Yes.
- Q Do you know about article fourteen of the treaty? A Yes.
- Q Have you, your wife or child ever received any benefits in the Choctaw Nation as Choctaw Indians? A No.
- Q Did your ancestors ever receive any benefits as Choctaw Indians in the Indian Territory? A No.
- Q What was the name of your ancestors or ancestors who were residents of the old Choctaw Nation in Mississippi and Alabama and who were acknowledged members of the Choctaw tribe of Indians in 1830 when the treaty of Dancing Rabbit Creek was entered into between the United States and the Choctaw tribe of Indians? A My grandpa, Isaac, lived t Basha and went to the Nation and died there.
- Q Did your father live in Mississippi in 1830? A Yes.
- Q Did your father and mother leave Mississippi and go to the Indian Territory? A Yes.
- Q Did they go with the other Indians between the years 1833 and 1838? A I don't know.
- Q Did they come back again? A No, my mother came back--my father died there.
- Q Did any of your ancestors within six months after the ratification of the treaty of 1830 tell the United States Indian Agent of the Choctaw Indians here in Mississippi that they wanted to stay in Mississippi and become citizens of the United States? A No.
- Q What is the name of your wife's ancestors who were residents of the old Choctaw Nation in Mississippi and Alabama and acknowledged members of the Choctaw tribe of Indians in 1830 when the treaty of Dancing Rabbit Creek was made between the United States and the Choctaw tribe of Indians? A Don't know.
- Q Did your wife's ancestors remove from the territory occupied by the Choctaw Nation in Mississippi and Alabama and go to the present Choctaw Nation in the Indian Territory at the time when the other members of the Choctaw tribe of Indians went in the years 1833 to 1838? A Don't know.
- Q Did any of your wife's ancestors go to the United States Indian Agent within six months after the ratification of the treaty of 1830 and tell him they wanted to stay in Mississippi and become citizens of the states? A Don't know.
- Q Is there anything further you want to say in support of your application? A No.
- Q Have you any documentary evidence, affidavits, written testimony of any description, copies of records, deeds or patents, or any other proper papers showing that you ancestors or your wife's ancestors were acknowledged members of the Choctaw tribe of Indians in Mississippi in 1830 or that your ancestors or your wife's ancestors ever complied or attempted to comply with the fourteenth article of

Stephen Jim --4.

that treaty or that they ever received any benefits thereunder?
A No.

This applicant from all appearances is a full blood Choctaw Indian; he does not speak the English language and his examination has been carried on wholly by means of a Choctaw interpreter.

The decision of the Commission as to the application which you make for the identification of yourself, your wife and one minor child as Mississippi Choctaws will be determined at the earliest possible date and a report of the same made to the Secretary of the Interior, conformable to the provisions of the twenty-first section of the act of Congress of June 28, 1898, and a copy of the same will be mailed to you at your post office address as given in your testimony.

H.C. Risteen, having been first duly sworn, upon his oath states: That as stenographer to the Commission to the Five Civilized Tribes he reported in full all proceedings had in the above entitled cause on the 30th day of April 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes of said proceedings on said date.

H.C. Risteen

Subscribed and sworn to before me at Philadelphia Mississippi, this 1st day of May, 1901.

Howell I Quinn
Justice of the Peace in and
for District No. 1, Neshoba
County, Mississippi.

Cow

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

In the matter of the application of Stephen Jim, et
al., for identification as Mississippi Choctaws---M.C.R. 1985

-----D E C I S I O N -----

It appears from the record herein that application for
identification as Mississippi Choctaws was made to this Commission on
April 30, 1901, by Stephen Jim for himself, his wife Betsy, and his
minor child Lina Jim, under the following provision of the Act of Congress
approved June 28, 1898 (30 Stats. 495):

"Said Commission shall have authority to determine the
identity of Choctaw Indians claiming rights in the Choctaw
lands under article fourteen of the treaty between the United
States and the Choctaw Nation, concluded September twenty-
seventh, eighteen hundred and thirty, and to that end may
administer oaths, examine witnesses and perform all other acts
necessary thereto and make report to the Secretary of the
Interior."

From the evidence submitted in support of said application
it appears that all the applicants are full blood Mississippi Choctaw
Indians.



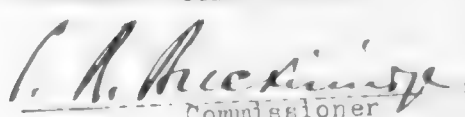
Section forty-one of the Act of Congress entitled "An Act

to ratify and confirm an agreement with the Choctaw and Chickasaw tribes of Indians, and for other purposes" approved July 1, 1902, (32 Stats. 641) and ratified by the Choctaw and Chickasaw Nations September 25, 1902, provides as follows:

"The application of no person for identification as a Mississippi Choctaw shall be received by said Commission after six months subsequent to the date of the final ratification of this agreement and in the disposition of such applications all full blood Mississippi Choctaw Indians and the descendants of any Mississippi Choctaw Indians whether of full or mixed blood who received a patent to land under the said fourteenth article of the said treaty of eighteen hundred and thirty who had not moved to and made bona fide settlement in the Choctaw-Chickasaw country prior to June twenty-eighth, eighteen hundred and ninety-eight, shall be deemed to be Mississippi Choctaws, entitled to benefits under article fourteen of the said treaty of September twenty-seventh, eighteen hundred and thirty, and to identification as such by said Commission, but this direction or provision shall be deemed to be only a rule of evidence and shall not be invoked by or operate to the advantage of any applicant who is not a Mississippi Choctaw of the full blood, or who is not the descendant of a Mississippi Choctaw who received a patent to land under said treaty, or who is otherwise barred from the right of citizenship in the Choctaw Nation, all of said Mississippi Choctaws so enrolled by said Commission shall be upon a separate roll."

It is, therefore, the opinion of this Commission that Stephen Jim, Betsy Jim and Lina Jim should be identified as Mississippi Choctaws, and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES


Acting Chairman

Commissioner

C. A. Hickman
Commissioner

Muskogee, Indian Territory

M.C.R. 1985

Muskogee, Indian Territory, February 21, 1903.

Mansfield, McMurray & Cornish,

Attorneys for the Choctaw and Chickasaw Nations,

South Mc Alester, Indian Territory.

Gentlemen:-

Enclosed herewith you will find a copy of the decision of the Commission rendered February 14, 1903, identifying Stephen Jim, his wife Betsy Jim and his minor child, Lina Jim, as Mississippi Choctaw Indians under the provisions of the forty-first section of the act of Congress approved July 1, 1902 (32 Stats. 641).

You are hereby advised that you will be allowed fifteen days from the date hereof, in which to file with this Commission such protest as you desire to make against the action of the Commission in identifying the said Stephen Jim, his wife and child, as Mississippi Choctaws, and make satisfactory proof of service of said protest upon the applicants herein.

If you fail to file such protest within the time allowed, the names of the applicants herein will be placed upon the schedule of duly identified Mississippi Choctaws now being prepared by this Commission.

Respectfully,

RECORDED

Registered
Enclosure G.H. 36

~~Chairman~~ Chairman

Copy

M.C.R. 1985

Muskogee, Indian Territory, March 11, 1903.

Stephen Jim,

Philadelphia, Mississippi.

Dear Sir:-

Enclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered February 14, 1903, identifying yourself, your wife Betay Jim and your minor child, Lina Jim, as Mississippi Choctaw Indians under the provisions of section 41 of the act of Congress approved July 1, 1902 (32 Stats. 641).

If you remove to the Choctaw-Chickasaw country, Indian Territory, before August 14, 1903, you will have six months from that date, or until February 14, 1904, within which to make proof of such removal and settlement at the office of the Commission at Atoka, Choctaw Nation, or Tishomingo, Chickasaw Nation.

Respectfully,

Chairman

Registered

Enclosure 1985

Joe Philip.
Dellie 537+542, 517 Scripbook 157+154+189

Bob Hubbs

~~Peter Hubbs~~
Grace 553+497 Scripbook 88

Nak-Kal M.O. Pot-Hubbs

140. T. Nak 517-530 532 National

Thas 140

140. T. a

Granny's 140. T. a

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In. Mist Tubbs

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Pilly Ste. at Tubbs

Thas 140. T. a

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Sally 462 slave who lived in 1830.

" 517 Claim all by Cons. 1845. Cheas. Not. not. tubbs

" 537 " " " Sally a child under 10.
Somed
Park & not.

Sally 225 Claim rejected

" 239 " "

" 280 " "

" 406 " allowed under 10 & art. Child under 10

" 542 " " over 10

" 796 affidavit sworn in 1830 Child over 10
of Jura Christi.

Vol 2

1013. Off of the mul. la-tubbs claim to
last
has Conf. Child ~~10 1/2~~ under 10.

1029. Sally 18 years old in 1838 daughter
of Bond - tubbs. Claim to
be to Com. for.

1907
8
3.9

Hoka

137 list of Choctaw books as affian claim

page 242

Westlock's by book a, claim all under with
art Hoka a ^{female} child under 10 named Hoka

ha. Gharret
- Jim

Daphnia Jim

wife's parents

Joe
Callie

Jim Isaac
parents

Isaac or

Nah. Kari re-ohat-Indien

He is a h

wife's name Mary Ann 1827
parents Mary Ann 1827
Isaac 1827 6 hatta

f. Ushetshelomah Oso - rubber
Daphnia 1833

M. Lacie a Le. loge

Winston Jim Isaac
(pat of Jim)

wife's parents

John Walter or Jim must be hatta (born 1830)
Emily (mother 1820)

Callie Jim

Hubbard

Goodman Jim

parents

Bob Jim

Peter Jim

Isaac - rubber 2118
parents

Bob Rubber

Patsy Rubber

Henry Wais
husb parent
Sampson
Caroline

wife Mary Jane Rubber
mother's sister of
Jim Isaac

Debra Isaac
(born 1830)

wife's name Lucy
wife's father

Debra etc. at hatta
(born 1830)

wife's mother
Mary

Louisa Green
teacher in law
Martha

Steve Jim
(born 1830)

wife's mother

Martha makes

Daphnia Green
daughter of J. Green
born 1830
husb father born 1830
husb mother born 1830
Martha Green

Simon Hymor
wife's father
Phelix

Simon Jim
wife's parents
John Jimmie
Sonia Jim

For Identification as a Mississippi Choctaw.

Date

Name *Stephen Jim.*Age *68* - Blood *full*Post Office *Philadelphica, Miss.*Father: *Jim.* dMother: *Sophie.* d

Claims through both parents.

Wife -----

Betsy Jim, full blood, 60
wife father, for d. true sons.
" mother, Lallie, L. " "

Children

*Lina (girl) --- 17.**see McCand Times No 241, and**see M.C. Cand Times No**142. ---**Claims for self, wife**and child.*

Stenographer

H. C. Kistner.

FOR IDENTIFICATION
A. C. 15512 CHOCOLATE

Stephen Jim et al.
1985

DECISION

CHOCOLATE

**COPY OF DECISION FORWARDED
APPLICANT**

MAR 11 1903

+ Helma ~~to~~ June 6 1880.

Consolidated Case
of
Stephen Jinn, et al
REFER TO M. C. R. / 985.

Isaac (or)
 (Nah-Kah-ni-o-Kah-tubbee)
 wife
 Ho-ti-nah, full Dead

Tim Isaac, full, 68
 (Pincha)

Married

Mary full 75,
 or HOKA
 or Unah-hoku

Matona
 Hoyo
 Cha-fa-ho-na

Weshockshehomah, dead
 or Te-mubbee
 wife

Hot-e-mah
 A-took-la-honah

①

A-fa-na-tubbee

②

Okla-no-wah

③ Fabie or Te-wiki, dead
 full

Ostah-tubbee

Martin

Hotaiah

Kahlin

Elah-pah-mubbee

A-mah-honah

Hota-honah

E-man-aa-to-na

Tillie

Dick or Tusto.

MCR
 4496

x Sophia Isaac, 33, full

married

① Hinson, full, dead

x ② Johnson Willis, living

x Separated

MCR
 4498

Adam Jim, 31, full

married

MCR
 4499

x Fabie Jimmie, 21 full

x Father - Bobo Jimmie, Dead

x Mother - Louisa Jimmie, Living

MCR
 4495

Nancy Wait, 28, full

husband

Wait, full, dead

MCR
 4513

Simon Hinson, full 19

MCR
 4513

wife
 Mary Hinson, " 23

x { Father - Philip, Dead

{ Mother - Pine Philip, " (see other page, Card, Final, No. 334)

MCR
 4496

Watson Hinson, 15

Leona Willis, 13

Spink Willis, 11

Koen Willis, 7

Timis Willis, 3

Cora Willis, 2

Harmin Willis, 3 mos

MCR
 4497

Savioil Wait, 15

Liza Wait, 13

Choctaw MCR 1986

Eliza Stemonna

MCR 1986

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

The within record is in the matter of the application
of Eliza Stemona for identification as a Mississippi
Choctaw-----M.C.R. 1986

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

In the matter of the application of Eliza Stemona
for identification as a Mississippi Choctaw, M.C.R. 1986

I N D E X

	Page
Original application of Eliza Stemona to the Dawes Commission for identification as a Mississippi Choctaw	1
Decision of the Commission identifying Eliza Stemona as a Mississippi Choctaw	4

DEPARTMENT OF THE INTERIOR.
 COMMISSION TO THE FIVE CIVILIZED TRIBES.
 Philadelphia, Mississippi, April 30th, 1901.

In the matter of the application of Eliza Stemona for identification as a Mississippi Choctaw.

Eliza Stemona, having been first duly sworn, upon her oath testifies as follows through Tom Tubbee duly sworn interpreter:

Examination by the Commission:

- Q What is your name? A Eliza Stemona.
 Q What is your age? A Forty eight.
 Q What is your post office address? A Tucker, Mississippi.
 Q How long have you lived in Mississippi? A All my life.
 Q How long have you lived in Tucker? A About nine years.
 Q Where did you live before you lived in Tucker? A Laurel Hill.
 Q How long did you live in Laurel Hill? A Always lived over there.
 Q You were born at Laurel Hill? A Yes sir.
 Q What is your father's name? A Jim Stemona.
 Q Is he living? A Dead.
 Q What is your mother's name? A Sallie.
 Q Is she living? A Yes.
 Q Was Jim Stemona a full blood Choctaw? A Yes.
 Q Is Sallie a full blood? A Yes.
 Q Are you a full blood? A Yes.
 Q You claim through both parents? A Yes.
 Q Have your parents through whom you claim your right to identification as a Mississippi Choctaw ever been recognized in any manner or enrolled as members of the Choctaw tribe of Indians in the Indian Territory, either by the Choctaw tribal authorities or the authorities of the United States? A Don't know.
 Q Are you married? A No.
 Q Have you ever been married? A Yes, good long time.
 Q Have you any children? A No.
 Q Are you making application for yourself alone? A Just for myself.
 Q Is your name on any of the tribal rolls of the Choctaw Nation in the Indian Territory? A No.
 Q Did you ever make application to the Choctaw tribal authorities in the Indian Territory to be enrolled as a member of that tribe? A No.
 Q Did you or any one for you in 1896 make application to the Commission to the Five Civilized Tribes for citizenship in the Choctaw Nation under the act of Congress of June 10, 1896? A No.
 Q Have you ever been admitted to citizenship in the Choctaw Nation by the Choctaw tribal authorities, the Commission to the Five Civilized Tribes, or by the United States Court in Indian Territory? A No.
 Q Have you ever made application before this time to either the Choctaw tribal authorities or the authorities of the United States to be admitted or enrolled as a citizen of the Choctaw Nation? A Yes

The records of the Commission show that on January 30, 1899, application was made to the Commission at Philadelphia, Mississippi for the identification of Eliza Stemona as a Mississippi Choctaw. Her name appears upon Mississippi Choctaw Card Field No. 143; also upon page 53 of the schedule of Mississippi Choctaws which accompanied the report of March 10, 1899 of the Commission to the Five Civilized Tribes to the Secretary of the Interior as to the identity of Choctaw Indians residing in Mississippi

Eliza Stenona---2.

and claiming rights in the Choctaw lands under the fourteenth article of the treaty of Dancing Rabbit Creek, being No. 502 thereon.

Q Except that application in 1898, is this the first application you have ever made of any kind? A Yes.

Q Is it now your purpose to make application for identification as a Mississippi Choctaw? A Yes.

Q Do you claim your right as a beneficiary under article fourteen of the treaty of 1830 between the United States and the Choctaw Indians? A Yes.

Q Have you ever received any benefits as a Choctaw Indian? A No.

Q Have any of your ancestors ever received any benefits as Choctaw Indians? A No.

Q Have they ever had any land or money from the government? A No.

Q What is the name of your ancestor or ancestors who were residents of the old Choctaw Nation in Mississippi and Alabama in 1830, and who were acknowledged members of the Choctaw tribe of Indians when the treaty of Dancing Rabbit Creek was entered into between the United States and the Choctaw tribe of Indians? A Don't know.

Q Did your ancestors remove from Mississippi or Alabama and go to the Indian Territory when the other Choctaw Indians went there between the years 1833 and 1838? A No.

Q Did any of your ancestors within six months after the treaty of 1830 was ratified signify to the United States Indian agent of the Choctaw Indians in Mississippi their intention to remain in Mississippi and become citizens of the United States? A Don't know much about it.

Q Have any of your ancestors received or claimed any land in Mississippi as beneficiaries under the fourteenth article of the treaty of 1830? A Don't know nothing about all that.

Q Are there any additional statements you desire to make in support of your application? A No.

Q Have you any documentary evidence, affidavits, written testimony of any description, copies of records, deeds or patents, or any other proper papers showing that your ancestors were ever recognized members of the Choctaw tribe of Indians in Mississippi in 1830 or that they ever complied or attempted to comply with the provisions of the fourteenth article of the treaty of Dancing Rabbit Creek, or that they have ever received any benefits under that article of that treaty? A No.

(This applicant appears to be a full blood Choctaw Indian and does not speak English, the examination having been conducted through an interpreter.)

The decision of the Commission as to your application for identification as a Mississippi Choctaw will be determined at the earliest possible date and a report of the same made to the Secretary of the Interior conformable to the provisions of the 21st Section of the act of Congress of June 28, 1898, and a copy of the same will be mailed to you at your post office address as given in your testimony.

H.C. Risteen, having been first duly sworn, upon his oath states: That as stenographer to the Commission to the Five Civilized Tribes he reported in full all proceedings had in the above entitled cause on the 30th day of April, 1901, and that the above and foregoing is a full true and correct transcript of his stenographic notes of

Eliza Stemons----3.

said proceedings on said date.

Subscribed and sworn to before me at Philadelphia, Mississippi,
this 1st day of May, 1901.

H. C. Risten

Howell I Quinn

Justice of the Peace on and
for District No. 1 Washoba
County, Mississippi.

Over.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

In the matter of the application of Eliza Stemona
for identification as a Mississippi Choctaw---M.C.R. 1986.

----- D E C I S I O N -----

It appears from the record herein that application for identification as a Mississippi Choctaw was made to this Commission on April 30, 1901, by Eliza Stemona for herself, under the following provision of the Act of Congress approved June 28, 1898, (30 Stats. 495):

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto and make report to the Secretary of the Interior."

From the evidence submitted in support of said application it appears that the applicant is a full blood Mississippi Choctaw Indian.

Section forty-one of the Act of Congress entitled "An Act to ratify and confirm an agreement with the Choctaw and Chickasaw

tribes of Indians, and for other purposes" approved July 1, 1902, (32 Stats. 641) and ratified by the Choctaw and Chickasaw Nations September 25, 1902, provides as follows:

"The application of no person for identification as a Mississippi Choctaw shall be received by said Commission after six months subsequent to the date of the final ratification of this agreement and in the disposition of such applications all full blood Mississippi Choctaw Indians and the descendants of any Mississippi Choctaw Indians whether of full or mixed blood who received a patent to land under the said fourteenth article of the said treaty of eighteen hundred and thirty who had not moved to and made bona fide settlement in the Choctaw-Chickasaw country prior to June twenty-eighth, eighteen hundred and ninety-eight, shall be deemed to be Mississippi Choctaws, entitled to benefits under article fourteen of the said treaty of September twenty-seventh, eighteen hundred and thirty, and to identification as such by said Commission, but this direction or provision shall be deemed to be only a rule of evidence and shall not be invoked by or operate to the advantage of any applicant who is not a Mississippi Choctaw of the full blood, or who is not the descendant of a Mississippi Choctaw who received a patent to land under said treaty, or who is otherwise barred from the right of citizenship in the Choctaw Nation, all of said Mississippi Choctaws so enrolled by said Commission shall be upon a separate roll."

It is, therefore, the opinion of this Commission that Eliza Stemona should be identified as a Mississippi Choctaw, and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES


Acting Chairman

Commissioner


Commissioner

Muskogee, Indian Territory

SEP 14 1902

M C R 1986

Muskogee, Indian Territory, February 21, 1903.

Mansfield, McMurray & Cornish,

Attorneys for the Choctaw and Chickasaw Nations.

South McAlester, Indian Territory.

Gentlemen:

Enclosed herewith you will find a copy of the decision of the Commission rendered February 14, 1903, identifying Eliza Stemona as a Mississippi Choctaw Indian under the provisions of the forty-first section of the act of Congress approved July 1, 1902 (32 Stats., 641).

You are hereby advised that you will be allowed fifteen days from the date hereof, in which to file with this Commission such protest as you desire to make against the action of this Commission in identifying the said Eliza Stemona as a Mississippi Choctaw, and make satisfactory proof of service of said protest upon the applicant herein.

If you fail to file such protest within the time allowed, the name of the applicant herein will be placed upon the schedule of duly identified Mississippi Choctaws now being prepared by this Commission.

Respectfully,

(SIGNED)

Register
Enc. M C R 1986

[Signature]
Chairman.

JAMES BLAIR
THOMAS B. NEEDLE
C. R. BRECKINRIDGE
W. F. STANTON

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

OFFER IN REPLY TO THE FOLLOWING

M.O.R. 1903.

ALBION L. AYLESWORTH
CHIEF

ALL REPLY TO THE
CHIEF

Muskogee, Indian Territory, March 11, 1903.

Eliza Stemsna,

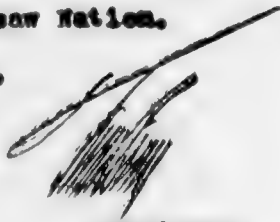
Tucker, Mississippi.

Dear Madam:

Enclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered February 14, 1903, identifying yourself as a Mississippi Choctaw Indian under the provisions of section 41 of the Act of Congress approved July 1, 1902 (32 Stats., 641).

If you remove to the Choctaw-Chickasaw country, Indian Territory, before August 14, 1903, you will have six months from that date, or until February 14, 1904, within which to make proof of such removal and settlement at the office of the Commission at Atoka, Choctaw Nation, or Tahawingo, Chickasaw Nation.

Respectfully,



Chairman.

Registered.

Enc. M.O.R. 1903.

MCR 1986

Muskogee, Indian Territory, May 29, 1903.

Commissioner in Charge,
Chickasaw Land Office,
Tishomingo, Indian Territory.

Dear Sir:

You are hereby advised that the following notations have this day been made on Mississippi Choctaw Identified card No. 325:

SETTLEMENT ADDRESS: "Hubbard, Ind. Ter."

DATE OF PROOF OF SETTLEMENT: "May 16, 1903."

You are requested to make like notations upon the duplicate card in your possession in accordance with the above information.

Respectfully,

Commissioner in Charge.

For Identification as a Mississippi Choctaw.

Date

1901

Name Eliza Stemonona

Age 48

Blood

full

Post Office,

Tucker, Miss.

Father; Jim Stemonona, d

Mother: Sallie " l.

Claims through both parents.

appears for herself
alone -~~Children.~~

(See Miss Choct card No 143)

Testimony of 1/20 99)

Stenographer A. C. Kitten.

CONFIDENTIAL
MISSISSIPPI COTTON

Eliza Stemonna

IDENTIFIED

COPY OF DECISION FORWARDED
APPLICANT

MAR 11 1903



DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
MAY 11 1903



Comm.

Ms. A. 9.11.6.1000.2.14.20
12.11.2000



Department of the Interior.

Commission to the Five Civilized Tribes,

MUSKOGEE, IND. TER.

OFFICIAL BUSINESS.

Penalty for private use, \$300.

Eliza Stenona,

~~Tucker~~, Mississippi.



Muskogee
Ind. Ter. 4698

m.e.R. 1986

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED

DEC 7 1903



CHAIRMAN

12994
1/5 6



Commission to the Five Civilized Tribes.

MUSKOGEE, IND. TER.

OFFICIAL BUSINESS.

Penalty for private use, \$300.

Liza Stemonia

Hubbard

L. J.

Choctaw MCR 1987

Henry Bob

MCR 1987

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

The within record is in the matter of the application
of Henry Bob, et al., for identification as Mississippi
Choctaws -----M.C.R. 1987

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

In the matter of the application of Henry Bob, et al.,
for identification as Mississippi Choctaws, M.C.R. 1987.

I N D E X

	Page
Original application of Henry Bob, et al., to the Dawes Commission for identification as Mississippi Choctaws	-----1
Decision of the Commission identifying Henry Bob, et al., as Mississippi Choctaws	----- 4

Cover

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

In the matter of the application of Henry Bob , et al.,
for identification as Mississippi Choctaws-----M.C.R. 1987.

-----D E C I S I O N -----

It appears from the record herein that application for identification as Mississippi Choctaws was made to this Commission on April 30, 1901, by Henry Bob for himself, his wife Sallie, and his minor child, Emma Bob, under the following provision of the Act of Congress approved June 28, 1898 (30 Stats. 495):

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto and make report to the Secretary of the Interior."

From the evidence submitted in support of said application it appears that all the applicants are full blood Mississippi Choctaw Indians.

Section forty-one of the Act of Congress entitled "An Act

to ratify and confirm an agreement with the Choctaw and Chickasaw tribes of Indians, and for other purposes" approved July 1, 1902, (32 Stats. 641) and ratified by the Choctaw and Chickasaw Nations September 25, 1902, provides as follows:

"The application of no person for identification as a Mississippi Choctaw shall be received by said Commission after six months subsequent to the date of the final ratification of this agreement and in the disposition of such applications all full blood Mississippi Choctaw Indians and the descendants of any Mississippi Choctaw Indians whether of full or mixed blood who received a patent to land under the said fourteenth article of the said treaty of eighteen hundred and thirty who had not moved to and made bona fide settlement in the Choctaw-Chickasaw country prior to June twenty-eighth, eighteen hundred and ninety-eight, shall be deemed to be Mississippi Choctaws entitled to benefits under article fourteen of the said treaty of September twenty-seventh, eighteen hundred and thirty, and to identification as such by said Commission, but this direction or provision shall be deemed to be only a rule of evidence and shall not be invoked by or operate to the advantage of any applicant who is not a Mississippi Choctaw of the full blood, or who is not the descendant of a Mississippi Choctaw who received a patent to land under said treaty, or who is otherwise barred from the right of citizenship in the Choctaw Nation all of said Mississippi Choctaws so enrolled by said Commission shall be upon a separate roll."

It is, therefore, the opinion of this Commission that Henry Bob, Sallie Bob and Emma Bob should be identified as Mississippi Choctaws, and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory
JUL 8 1903


Chairman

Commissioner

C. A. Beckwith
Commissioner
5

J. E. Hasty

287

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Philadelphia, Mississippi, April 30, 1901.

In the matter of the application of Henry Bob for the identification of himself, his wife and one child as Mississippi Choctaws.

Henry Bob being first duly sworn, upon his oath testified as follows:

Examination by the Commission.

- Q What is your name? A Henry Bob
- Q What is your age? A Forty four.
- Q What is your post office address A Engine,
- Q Neshoba County? A Yes.
- Q How long have you lived in Mississippi? A All my life.
- ✓ Q Is your father living? A No.
- ✓ Q What was his name? A Bob.
- Q Is that all the name he had? A Yes .
- Q Did he have a Choctaw name? A Yes.
- Q What was it? A Pis-un-tubbee Bob.
- ✓ Q Was he a full blood Choctaw? A Yes.
- ✓ Q Is your mother living? A Dead.
- ✓ Q What was her name? A Amy
- Q Did she have a Choctaw name? A Ama.
- ✓ Q Your mother a full blood Choctaw? A Yes.
- ✓ Q You claim to be a full blood Choctaw? A Yes.
- Q Did your father and mother always live in the State of Mississippi A Yes.
- Q Do you know the names of any of your grand parents? A Yes.
- ✓ Q What one do you know? A Ok-a-lab-bee, was my father's father.
- Q Do you know any more of your grand parents names? A No.
- Q Did all of your ancestors, or fore-fathers, always live in Mississippi, so far as you know? A Yes.
- Q Were either your father or your mother ever recognized in any manner or enrolled as members of the Choctaw tribe of Indians either by the Choctaw tribal authorities or by the United States authorities A I don't know.
- Q Are you married? A Yes.
- ✓ Q What is your wife's name? A Sallie.
- Q When were you married to Sallie? A About seven years ago.
- Q Were you married under a license or according to the Choctaw custom? A License.
- Q Have you your license with you at this time? A No.
- Q From whom did you procure your license? A Gully.
- Q What official position does he hold? A Clerk.
- Q By whom were you married? A Seborn Smith, a preacher.
- Q What is your wife's age? A 32, I think.
- ✓ Q Is she a full blood Choctaw? A Yes.
- Q Has she always lived in the State of Mississippi? A Yes.
- Q You are living together as husband and wife? A Yes.
- ✓ Q Is your wife's father living? A No sir.
- ✓ Q What was his name? A William Thompson.
- Q Did he have a Choctaw name? A Kah-tubbee.
- ✓ Q Was he a full blood Choctaw? A Yes.
- Q Did he always live in Mississippi? A Yes.
- ✓ Q Is your wife's mother living? A No.
- ✓ Q What was her name? A I don't know.
- ✓ Q Was she a full blood Choctaw? A Yes sir.
- Q Did she always live in Mississippi? A Yes.
- 1

Henry Bob, et al., #2.

Have all of your wife's ancestors lived in Mississippi all their lives? A Yes.

Q Do you know the names of any of your wife's grand parents? No.

Q Were either of your wife's parents recognized in any manner or enrolled as members of the Choctaw tribe of Indians by the Choctaw tribal authorities or by the United States authorities? A I don't know.

Q Have you any children living? A One, Emma.

Q How old is Emma? A Five years old.

Q You are Emma's father? A Yes sir.

Q What is her mother's name? A Sallie.

Q Is your name, or your wife's name, or the name of this child to be found upon any of the tribal rolls of the Choctaw Nation in Indian Territory? A I don't know.

Q Have you, your wife, or this minor child, or has anyone in behalf of yourself, your wife, or this minor child, ever made application to the Choctaw tribal authorities in Indian Territory to be enrolled as a member of that tribe? A I don't know.

Q Did you, or anyone for you, in the year 1896, make application to the Commission to the Five Civilized Tribes for citizenship in the Choctaw Nation, for yourself, your wife or your minor child? A No.

Q Have you, your wife or child ever been admitted to citizenship in the Choctaw Nation by the Choctaw tribal authorities, or this Commission, or the United States Court in Indian Territory? A I don't know.

Q Have you ever, before this time, made application to the Choctaw tribal authorities or to the United States authorities to be enrolled or admitted as members of the Choctaw tribe of Indians? A I appeared before the Commission about two years ago at Philadelphia.

Q Was that appearance at Philadelphia the only appearance you have made? A Yes.

The records of the Commission show that on January 31, 1899, the applicant appeared before the Commission at Philadelphia, Mississippi, and made application for the identification of himself, his wife and two minor children as Mississippi Choctaws; their names appear on Mississippi Choctaw card, Field number 205; also upon page 61 of the Schedule of Mississippi Choctaws, which accompanied the report of March 10, 1899, of the Commission to the Five Civilized Tribes to the Secretary of the Interior, as to the identity of Choctaw Indians residing in Mississippi and claiming rights in the Choctaw lands under the provisions of the Fourteenth Article of the Treaty of Dancing Rabbit Creek between the United States and the Choctaw Indians, being numbers 701, 702, 703, and 704 respectively thereon.

Q At the time you appeared before the Commission at Philadelphia, two years ago, you had a child by the name of Lonie? A Yes.

Q Is Lonie living now? A Not now.

Q When did she die? A The last day of June 1899.

Q Do you now desire to make application for the identification of yourself, your wife and child as Mississippi Choctaws? A Yes.

Q Do you claim your rights as beneficiaries under the provisions of the Fourteenth Article of the treaty of 1830, between the United States and the Choctaw Indians? A Yes sir.

Q Have you ever received any benefits as a Choctaw Indian? A No.

Q Has your wife ever received any benefits as a Choctaw Indian? A No.

Q Did any of your ancestors, or any of your wife's ancestors ever receive any benefits as Choctaw Indians? A I don't know.

Q Were any of your ancestors, or any of your wife's ancestors living in the old Choctaw Nation, in Mississippi and Alabama, at the time in the

Henry Bob, et al., #3.

in the year 1830 when the treaty of Dancing Rabbit Creek was made between the United States Government and the Choctaw tribe of Indians? A I don't know.

Q Were any of your ancestors or your wife's ancestors recognized members of the Choctaw tribe of Indians at that time? A I don't know. Did any of your ancestors, or any of your wife's ancestors remove from the old Choctaw Nation in Mississippi and Alabama to the present Choctaw Nation in the Indian Territory at the time of the removal of the larger number of the Choctaw Indians, between the years 1833 and 1838? A I don't know.

Q Did any of your ancestors, or any of your wife's ancestors, within six months after the treaty of Dancing Rabbit Creek was ratified, signify to the United States Indian Agent for the Choctaw Indians in Mississippi, their intention to remain in Mississippi and become citizens of the states? A I don't know.

Q Did any of your ancestors, or any of your wife's ancestors ever claim or receive any land in Mississippi under the provisions of the 14th article of the treaty of Dancing Rabbit Creek, or the treaty of 1830? A I don't know.

Q Are there any additional statements you desire to make at this time in support of your application? A No.

Q Have you any documentary evidence, affidavits, written testimony of any description, copies of records, deeds or patents, or any other proper papers showing that any of your ancestors, or any of your wife's ancestors were, in the year 1830, when the treaty of Dancing Rabbit Creek was made, duly recognized members of the Choctaw tribe of Indians, or that any of them ever complied or attempted to comply with the provisions of the 14th article of that treaty or ever received any benefits under that article of that treaty. A No.

(This applicant has every appearance and characteristic of a full blood Indian; he speaks the Choctaw language and very little English, the examination being conducted chiefly through a Choctaw interpreter.)

The decision of the Commission as to this application which you make for the identification of yourself, your wife and one minor child as Mississippi Choctaws will be terminated at the earliest possible date, and a report of the same made to the Secretary of the Interior conformable to the provisions of the twenty first section of the act of Congress of June 28, 1898, and a copy of the same will be mailed to you at your post office address as given in your testimony.

R.S. Streit, having been first duly sworn, upon his oath states: That as stenographer to the Commission to the Five Civilized Tribes he reported in full all proceedings had in the above entitled cause on the 30th day of April, 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes of said proceedings on said date.

Subscribed and sworn to before me at Philadelphia, Mississippi, this 1st day of May, 1901.

R. S. Streit
Howell J. Quinn
Justice of the Peace.

M.C.R. 1987.

COPY.

Muskogee, Indian Territory, July 8, 1903.

Henry Bob,

Engine, Mississippi.

Dear Sir:

Enclosed herewith you will find a copy of the decision of the Commission to the five Civilized Tribes, rendered July 8, 1903, identifying yourself, your wife, Sallie Bob and your minor child, Emma Bob, as Mississippi Choctaw Indians under the provisions of Section 41 of the Act of Congress approved July 1, 1902, (32 Stats., 641).

If you remove to the Choctaw-Chickasaw country, Indian Territory, before January 8, 1904, you will have six months from that date or until July 8, 1904, within which to make proof of such removal and settlement at the office of the Commission at Atoka, Choctaw Nation or Tishomingo, Chickasaw Nation.

Respectfully,

(SIGNED)

I. B. Needles.
Commissioner in Charge.

Registered.

Enc. 1987

M.C.R. 1987

COPY.

Muskogee, Indian Territory, July 8, 1903.

Mansfield, McMurray & Cornish,
Attorneys for the Choctaw and Chickasaw Nation,
South McAlester, Indian Territory.

Gentlemen:

Enclosed herewith you will find a copy of the decision of the Commission rendered July 8, 1903, identifying Henry Bob, his wife, Sallie Bob and minor child, Emma Bob as Mississippi Choctaw Indians under the provisions of the forty-first section of the act of Congress approved July 1, 1902, (32 Stats., 641).

You are hereby advised that you will be allowed fifteen days from the date hereof, in which to file with this commission such protest as you desire to make against the action of the Commission in identifying the said Henry Bob, his wife, and child as Mississippi Choctaws and make satisfactory proof of service of said protest upon the applicants herein.

If you fail to file such protest within the time allowed, the names of the applicants herein will be placed upon the schedule of duly identified Mississippi Choctaws now being prepared by this Commission.

Respectfully,

(SIGNED)

T. B. Needles.

Registered.

Commissioner in Charge.

Enc. 1987

ACHC

Henry Rob et al

IDENTIFIED

DECISION

JUL 28 1961

APPEAL
A
CH

COPY C

JUL 28 1961

10/21

Handwritten signature

For Identification as a Mississippi Choctaw.

Date APR 30 1901

Name, Henry Bob,

Age 44 Blood full

Post Office, Engine Miss

Father: Bob, (dead)
Pis-un-tubbee.

Mother: Amy Bob

Claims through both parents.

Wife Sallie Bob (full) 32

Father William Thompson (dead)
Vah tubbee.

Mother don't know

Children.

Emma Bob 5

(Claims for himself, his wife
and one minor child)

(See Mississippi Choctaw Card

Field No 205 Testimony: 1/31/99)

Stenographer

R. S. Street

Choctaw MCR 1988

Smith Williams

MCR 1988

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

The record herein is in the matter of the application
of Smith Williams for identification as a Mississippi
Choctaw-----M.C.R. 1988

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

In the matter of the application of Smith Williams,
for identification as a Mississippi Choctaw, M.C.R. 1988

I N D E X

	Page
Original application of Smith Williams to the Dawes Commission for identification as a Mississippi Choctaw -----	1
Decision of the Commission identifying Smith Williams as a Mississippi Choctaw	5

1007

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Philadelphia, Mississippi, April 30, 1901.

In the matter of the application of Smith Williams for identification as a Mississippi Choctaw.

Smith Williams, being first duly sworn, upon his oath states as follows:

Examination by the Commission.

- Q What is your name? A Smith Williams.
- Q What is your age? A My age - my age - at the Commission I give it forty three; I am forty five now.
- Q What is your post office address? A Tucker,
- Q What county? A Neshoba.
- Q How long have you lived in the State of Mississippi? A I lived at Tucker, lets see - I think about fifteen years, I think, somewhere along there.
- Q Where did you live before you lived in Tucker? A I lived up back that way on south, on Newton road, on Newton Station road.
- Q That's in Mississippi? A Yes sir.
- Q How long did you live there? A I lived there eight years, and I moved and go two miles about there and stayed about eight years, somewhere.
- Q Have you always lived in the State of Mississippi? A Yes sir.
- Q Where were you born? A I don't recollect much about it now; when I born, I can't think what place much.
- Q But you have always lived in the State? A Yes sir.
- Q What is your father's name? A John Williams.
- Q Is he living? A Dead.
- Q What is your mother's name? A Sallie.
- Q Is she living? A She's dead.
- Q Through which one of your parents do you claim Choctaw blood? A Both of them.
- Q Is John Williams a full blood? A Yes sir.
- Q Is Sallie Williams a full blood? A Yes sir.
- Q You claim to be a full blood? A Yes sir.
- Q Have your parents through whom you claim the right of identification as a Mississippi Choctaw, ever been recognized in any manner or enrolled as members of the Choctaw tribe of Indians by the Choctaw tribal authorities or by the authorities of the United States? A I don't understand that.

(The following examination was conducted through Tom Tubbee, a duly sworn Choctaw interpreter.)

- Q Have your parents, through whom you claim the right of identification as a Mississippi Choctaw, ever been recognized in any manner or enrolled as members of the Choctaw tribe of Indians by the Choctaw tribal authorities or by the authorities of the United States?
- A I don't know.
- Q Are you married? A Yes, I married about eight years ago; she is dead.
- Q Have you any children? A Yes sir, single.
- Q You are making application for yourself alone? A Yes.
- Q Is your name on any of the tribal rolls of the Choctaw Nation in Indian Territory? A No sir.
- Q Have you ever made application to the Choctaw tribal authorities in the Indian Territory to be enrolled as a member of the tribe?
- A No sir.
- Q Did you, or did anyone for you, in the year 1896, make application to the Commission to the Five Civilized Tribes for citizenship in the Choctaw Nation, under the Act of Congress of June 10, 1896?
- A Yes sir.

Smith Williams, #2.

The records of the Commission show that this applicant's name was included in the case of Jack Amos, et al., versus the Choctaw Nation, being an application for citizenship in the Choctaw Nation, filed under the Act of Congress of June 10, 1896. This application was denied by the Commission on December 1, 1896, and the case was appealed to the United States Court for the Central Judicial District of the Indian Territory, where, on August 25, 1897, a decree was entered of record affirming the decision of the Commission to the Five Civilized Tribes, and denying the application of the petitioners, from which decision an appeal was taken by the petitioners to the Supreme Court of the United States, and the judgment of the lower court was affirmed by the Supreme Court of the United States.

Q Have you ever been admitted to citizenship in the Choctaw Nation, by either the Choctaw Tribal authorities, the Commission to the Five Civilized Tribes, or by the United States Court in the Indian Territory? A No sir.

Q Have you ever made application before this time, to either the Choctaw tribal authorities or to the authorities of the United States to be admitted or enrolled as a citizen of the Choctaw Nation? A Yes sir.

The records of the Commission show that on January 31, 1899, the applicant, Smith Williams, appeared before the Commission at Philadelphia, Mississippi, and made application for identification as a Mississippi Choctaw; his testimony at that time was as follows: "I am forty three years old, and a full blood Choctaw; I have no wife or children."

The name of this applicant appears upon Mississippi Choctaw card, Field Number 190; his name also appears upon page 59 of the Schedule of Mississippi Choctaws, which accompanied the report of the Commission to the Five Civilized Tribes, of March 10, 1899, to the Honorable Secretary of the Interior, as to the identity of Choctaw Indians residing in Mississippi, claiming rights in the Choctaw lands under the provisions of the Fourteenth Article of the Treaty of Dancing Rabbit Creek, being 652 thereon.

Q With the exceptions of the applications already stated by you, is this the first application you have ever made of any kind? A Yes sir.

Q Is it now your purpose to make application for identification as a Mississippi Choctaw? A Yes sir.

Q Do you claim your right as a beneficiary under the provisions of Article Fourteen of the Treaty of 1830? I will read this 14th Article to you. This is the Fourteenth article of the treaty of 1830 between the United States and the Choctaw Indians:

"Each Choctaw head of a family being desirous to remain and become a citizen of the States shall be permitted to do so by signifying his intention to the agent within six months from the ratification of this treaty, and he or she shall thereupon be entitled to a reservation of one section of six hundred and forty acres of land, to be bounded by sectional lines of survey; in like manner shall he be entitled to one-half that quantity for each unmarried child which is living with him over ten years of age; and a quarter section to such child as may be under ten years of age, to adjoin the location of the parent. If they

Smith Williams, #3.

reside upon said lands intending to become citizens of the States for five years after the ratification of this treaty, in that case a grant in fee simple shall issue; said reservation shall include the present improvement of the head of the family or a portion of it. Persons who claim under this article shall not lose the privilege of a Choctaw citizen, but if they ever remove are not entitled to any portion of the Choctaw annuity."

A Yes sir, I want to claim under that.

Q Have you ever received any benefits as a Choctaw Indian? A No sir.

Q Have any of your ancestors ever received any benefits as Choctaw Indians? A No, I don't recollect of it.

Q What is the name of your ancestor or ancestors who were residents of the old Choctaw Nation in Mississippi and Alabama and acknowledged members of the Choctaw tribe of Indians in 1830, when the treaty of Dancing Rabbit Creek was entered into between the United States Government and the Choctaw tribe of Indians? A I don't know.

Q Have you any evidence showing that any of your ancestors were ever recognized members of the Choctaw tribe of Indians in 1830? A No.

Q Did your ancestors, any of them, ever remove from the Territory occupied by the Choctaw Nation in Mississippi and Alabama to the present Choctaw Nation, Indian Territory, at the time of the removal of the other members of the Choctaw tribe of Indians between the years 1833 and 1838? A I don't recollect much.

Q Your father didn't go? A No sir.

Q Your mother?? A No sir.

Q Your grand father? A I don't know; I know my father or mother aint go.

Q Did your ancestors, within six months after the ratification of the treaty of 1830, tell the United States Indian Agent then living in Mississippi, that they intended to stay in Mississippi and take land here and become a citizen of the State? A I don't know.

Q Have any of your ancestors ever claimed or received any land in Mississippi as beneficiaries under Article 14 of the treaty of 1830? A I don't know.

Q Is there anything more you want to say in behalf of this application you are making? A No, I don't know; that's all, I think.

Q Have you any documentary evidence, affidavits written testimony of any description, copies of records, deeds or patents, or any other papers showing that your ancestors were ever recognized members of the Choctaw tribe of Indians in Mississippi in 1830, or that they ever complied or attempted to comply with the provisions of the 14th article of that treaty of 1830, or that they ever received any benefits under that article of that treaty? A No sir.

The decision of the Commission as to the application made by you for identification as a Mississippi Choctaw will be determined at the earliest possible date, and a report of the same made to the Secretary of the Interior, conformable to the provisions of the Twenty First Section of the Act of Congress of June 28, 1898, and a copy of the same will be mailed to you at your post office address as given in your testimony.

(This applicant has ever appearance and characteristic of a full blood Indian; he speaks the Choctaw language and very little English, part of the examination having been conducted through a Choctaw interpreter.)

Smith Williams, #4.

R.S. Streit, being first duly sworn, upon his oath states that as stenographer to the Commission to the Five Civilized Tribes, he reported in full the proceedings had in the above entitled cause on the 30th day of April, 1901, and that the above and foregoing is a full, true and correct translation of his stenographic notes of said proceedings on said date.

R.S. Streit

Subscribed and sworn to before me at Philadelphia, Mississippi, this 30th day of April, 1901.

Howell Quinn
Justice of the Peace.

11
C. 11

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

In the matter of the application of Smith Williams,
for identification as a Mississippi Choctaw, M.C.R. 1988

-----D E C I S I O N -----

It appears from the record herein that application for identification as a Mississippi Choctaw was made to this Commission on April 30, 1901, by Smith Williams for himself, under the following provision of the Act of Congress approved June 28, 1898(30 Stats.495):

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto and make report to the Secretary of the Interior."

From the evidence submitted in support of said application it appears that the applicant is a full blood Mississippi Choctaw Indian.

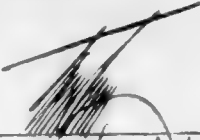
Section forty-one of the Act of Congress entitled "An Act to ratify and confirm an agreement with the Choctaw and Chickasaw tribes of Indians, and for other purposes" approved July 1, 1902, (32 Stats. 641) and ratified by the Choctaw and Chickasaw Nations

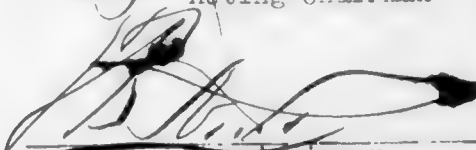
September 25, 1902, provides as follows:

"The application of no person for identification as a Mississippi Choctaw shall be received by said Commission after six months subsequent to the date of the final ratification of this agreement and in the disposition of such applications all full blood Mississippi Choctaw Indians and the descendants of any Mississippi Choctaw Indians whether of full or mixed blood who received a patent to land under the said fourteenth article of the said treaty of eighteen hundred and thirty who had not moved to and made bona fide settlement in the Choctaw-Chickasaw country prior to June twenty-eighth, eighteen hundred and ninety eight, shall be deemed to be Mississippi Choctaws, entitled to benefits under article fourteen of the said treaty of September twenty-seventh, eighteen hundred and thirty, and to identification as such by said Commission, but this direction or provision shall be deemed to be only a rule of evidence and shall not be invoked by or operate to the advantage of any applicant who is not a Mississippi Choctaw of the full blood, or who is not the descendant of a Mississippi Choctaw who received a patent to land under said treaty, or who is otherwise barred from the right of citizenship in the Choctaw Nation, all of said Mississippi Choctaws so enrolled by said Commission shall be upon a separate roll."

It is, therefore, the opinion of this Commission that Smith Williams should be identified as a Mississippi Choctaw, and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES


Acting Chairman


Commissioner


Commissioner

Muskogee, Indian Territory

FEB 14 1903

(6)

COPY.

M C R 1988

Muskogee, Indian Territory, February 21, 1903.

Mansfield, McMurray & Cornish,

Attorneys for the Choctaw and Chickasaw Nations.

South McAlester, Indian Territory.

Gentlemen:

Enclosed herewith you will find a copy of the decision of the Commission rendered February 14, 1903, identifying Smith Williams as a Mississippi Choctaw Indian under the provisions of the forty-first section of the act of Congress approved July 1, 1902 (32 Stats., 641).

You are hereby advised that you will be allowed fifteen days from the date hereof, in which to file with this Commission such protest as you desire to make against the action of the Commission in identifying the said Smith Williams as a Mississippi Choctaw, and make satisfactory proof of service of said protest upon the applicant herein.

If you fail to file such protest within the time allowed the name of the applicant herein will be placed upon the schedule of duly identified Mississippi Choctaws now being prepared by this Commission.

Respectfully,

SIGNED

Register
Enc. M C R 1988

James R. Davis
Chairman.

COMM. ST. NO. 1
JAMES BIXBY,
THOMAS B. NEEDLE,
C. R. BRECKINRIDGE,
W. F. STANLEY.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES

M.C.R. 1988

ALLISON L. AYERSWORTH
SECRETARY.

Muskogee, Indian Territory, March 11, 1903.

Smith Williams,

Tucker, Mississippi.

Dear Sir:

Enclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered February 14, 1903, identifying you as a Mississippi Choctaw Indian under the provisions of section 41 of the act of Congress approved July 1, 1902 (32 Stats., 641).

If you remove to the Choctaw-Chickasaw country, Indian Territory, before August 14, 1903, you will have six months from that date, or until February 14, 1904, within which to make proof of such removal and settlement at the office of the Commission at Atoka, Choctaw Nation, or Tishomingo, Chickasaw Nation.

Respectfully,



Chairman.

Registered

Enclosure 1988

MAJ 1988

Muskogee, Indian Territory, May 29, 1903.

Commissioner in Charge,
Chickasaw Land Office,
Tishomingo, Indian Territory.

Dear Sir:

You are hereby advised that the following notations have
this day been made upon Mississippi Choctaw Identified card No.

278:

SETTLEMENT ADDRESS: "Hubbard, Ind. Ter."

DATE OF PROOF OF SETTLEMENT: "May 15, 1903."

You are requested to make like notations on the duplicate
card in your possession in accordance with the above information.

Respectfully,

Commissioner in Charge.

2 / 3.

351P

Smith William

IDENTIFIED

DECISION RENDERED

11 11 1903

BY THE BOARD

OF THE NATIONAL

ARCHIVES

11 11 1903

**COPY OF DECISION FORWARDED
APPLICANT**

MAR 11 1903

7

For Identification as a Mississippi Choctaw.

Date APR 30 1901

Name *Smith Williams*Age *45* Blood *full*Post Office, *Tucker, Miss.*Father: *John Williams d.*Mother: *Sallie " d.*Claims through *both parents*

Makes application for

~~Children.~~ *self alone.**see Miss. Choctaw*
*filed No 190**testimony of Jan. 31*
1899.

Stenographer

R. S. Street

M.C.P. 1988

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED

DEC 7 1903



CHAIRMAN

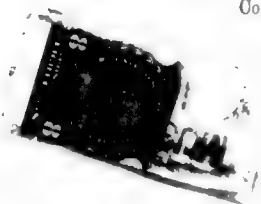
Department of the Interior.

Commission to the Five Civilized Tribes.

MUSKOGEE, IND. TER.

OFFICIAL BUSINESS.

Penalty for private use, \$300.



Smith & Williams

Hubbard

107

Choctaw MCR 1989

Isaac Williams

MCR 1989

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

The record herein is in the matter of the application
for the identification of Isaac Williams, et al., as
Mississippi Choctaws-----M.C.R. 1989

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

In the matter of the application for the identification
of Isaac Williams, et al., as Mississippi Choctaws, M.C.R. 1989

I N D E X

	Page
Original application of Smith Williams for the identification of his brother Isaac Williams, and family, as Mississippi Choctaws	1
Power of Attorney given by Isaac Williams to his brother, Smith Williams	5
Birth Affidavit of Micheal Williams	6
Testimony of George Polk in regard to the death of Isaac Williams, taken before the Commission at Philadelphia, Mississippi, March 4, 1902	7
Decision of the Commission identifying the living applicants embraced in the application of Isaac Williams, et al., as Mississippi Choctaws	9

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Philadelphia, Mississippi, ~~April 22~~ May 1, 1901.

In the matter of the application of Smith Williams, for the identification of his brother, Isaac Williams and his family as Mississippi Choctaws.

Smith Williams having been first duly sworn, upon his oath states, as follows: (Tom Tubiee, official interpreter.)

Examination by the Commission.

Q What is your name? A Smith Williams.

Q Do you appear before the Commission under power of attorney, to present the application of Isaac Williams and his family for identification as Mississippi Choctaws? A Yes sir.

Q What is the full name of Isaac Williams? A Isaac Williams.

Q What is his age? A 44.

Q What is his post office address? A Tucker, Mississippi.

Q How long has he lived in Tucker? A About 15 years, somewhere along there.

Q Where did he live before that? A About 12 miles from Decatur road.

Q Was Isaac Williams born in Mississippi? A Yes sir.

Q Always lived in the state of Mississippi? A Yes sir.

Q Never lived anywhere else? A No sir.

Q What was his father's name? A John Williams.

Q Is he living? A Dead.

Q What was his mother's name? A Sallie Williams.

Q Was his father a full blood? A Yes sir.

Q Is his mother dead? A Yes.

Q Do you claim ~~in~~ ~~as~~ Isaac Williams to be a full blood? A Yes sir.

Q Is Isaac Williams any relation of yours? A Yes, my brother.

Q Do you claim Choctaw blood for Isaac Williams through both his father and mother? A Yes sir.

Q Have the parents of Isaac Williams, through whom you claim ~~that~~ for him the right to identification as a Mississippi Choctaw, ever been recognized in any manner or enrolled as members of the Choctaw tribe of Indians by the Choctaw tribal authorities or by the authorities of the United States? A I don't know.

Q Is Isaac Williams married? A Yes sir.

Q Is she living? A Yes sir.

Q Is she a full blood? A Yes sir.

Q What is her name? A Rainey Williams.

Q Do you make application for his wife, Rainey Williams? A Yes sir.

Q Do you know when Isaac Williams was married to Rainey Williams?

A I think 11 or 12 years ago.

Q Where were they married? A I Tucker.

Q According to the Choctaw custom? A Married by license.

Q That is a license given by the Clerk of the Court? A Yes.

Q Where was the license obtained? A Here at Philadelphia.

Q What is the name of the Clerk? A Gully.

Q Do you know his first name? A Don't know.

Q He is the clerk of the district court? A Yes.

Q How old is Rainey Williams? A She 23, somewhere along there.

Q What is her father's name? A Jim Polk.

Q Full blood? A Yes sir.

Q Living? A Dead.

Q What is the wife's mother's name? A Mary.

Q Full blood? A Yes sir.

Q Living? A Dead.

Q Does she claim her Choctaw blood from both her parents? A Yes sir

Isaac Williams, et al., #2.

How much does she claim? A Full blood.

Q Has Rainy's parents, through whom you claim for her the right to identification as a Mississippi Choctaw, ever been recognized in any manner or enrolled as a member of the Choctaw tribe of Indians by either the Choctaw tribal authorities or by the authorities of the United States? A I don't know.

Q Are there any children of Isaac and Rainy Williams under twenty one years of age and unmarried? A Yes sir.

Q What is the name of the children? A Bettie, Maggie and Cathlena.

Q How old is Bettie? A 7 years old.

Q How old is Maggie? A 5 years old.

Q How old is Cathlena? A 3 years old.

Q Is Rainy the mother of these children? A Yes sir.

Q Is Isaac Williams the father? A Yes sir.

Q Are these two living together as husband and wife? A Yes sir.

Q Are these children living with them at their home? A Yes sir.

Q Is the name of Isaac Williams or Rainy Williams, Bettie, Maggie or Cathlena Williams on any of the tribal rolls of the Choctaw Nation in Indian Territory? A No sir.

Q Did Isaac Williams, for himself, his wife and his children, ever make application to the Choctaw tribal authorities in Indian Territory to be enrolled as members of that tribe? A No.

Q Did Isaac Williams, or anyone for him, or did he for his wife and his children, in 1896, make application to the Commission to the Five Civilized Tribes for citizenship in the Choctaw Nation under the Act of Congress of June 10, 1896? A I don't know.

Q Has Isaac Williams or his wife or children, ever been admitted to citizenship in the Choctaw Nation by either the Choctaw tribal authorities, the Commission to the Five Civilized Tribes, or by the United States Court in Indian Territory? A I don't know.

Q Did Isaac Williams, for himself, his wife and children, ever make application before this time to either the Choctaw tribal authorities, or to the authorities of the United States to be admitted or enrolled as citizens of the Choctaw Nation? A Yes sir, two years ago.

The records of the Commission show that on January 31, 1899, Isaac Williams appeared before the Commission at Philadelphia, Mississippi, and made application for the identification of himself, his wife and three minor children as Mississippi Choctaws; his testimony at that time was as follows: "I am 42 years old and a full blood Choctaw; my wife is a full blood named Rainy, 21 years old. We have the following children, Bettie 5, Maggie 3, and Cathlena 1 year old." The names of these persons appear upon Mississippi Choctaw card, Field Number 204; also, upon the Schedule of Mississippi Choctaws, which accompanied the report of March 10, 1899, of the Commission to the Five Civilized Tribes to the Secretary of the Interior as to the identity of Choctaw Indians residing in Mississippi and claiming rights in the Choctaw lands under the provisions of the 14th article of the treaty of 1830, between the United States and the Choctaw Indians, being numbers 696, 697, 698, 699 and 700, respectively, thereon, on page 61 of said Schedule.

Q Is it now your purpose to make an application for identification as Mississippi Choctaws in behalf of Isaac Williams, his wife and three children? A Yes sir.

Q Do you claim this right to appear for them as beneficiaries under the provisions of the 14th article of the treaty of 1830? A Yes.

Isaac Williams, et al., #3

Q Has Isaac Williams, or his wife and children ever received any benefits as Choctaw Indians? A I don't know.

Q Have their ancestors ever received any benefits as Choctaw Indians? A I don't know.

Q What was the name of the ancestor of Isaac Williams or Rainy Williams, who were residents of the old Choctaw Nation in Mississippi and Alabama and acknowledged members of the Choctaw tribe of Indians in 1830, when the treaty of Dancing Rabbit Creek was entered into between the United States and the Choctaw Indians? A I don't know.

Q Have you any evidence showing that the ancestors of Isaac Williams or of Rainy Williams were recognized members of the Choctaw tribe of Indians in 1830? A No, don't know.

Q Did the ancestors of Isaac Williams, or Rainy Williams remove from the territory occupied by the Choctaw Nation in Mississippi and Alabama ~~at that time~~ to the present Choctaw Nation, in Indian Territory, at the time of the removal of the other members of the Choctaw tribe between the years 1833 and 1838? A I don't know.

Q If these ancestors did not remove with the other members of the tribe, did they, within six months after the ratification of the treaty of 1830, tell the United States Indian Agent for the Choctaw Indians in Mississippi that they intended to stay in Mississippi and take land there and become citizens of the State of Mississippi? A No sir, I don't know.

Q Have any of the ancestors of Isaac Williams or Rainy Williams ever claimed or received any land in Mississippi under Article fourteen of the treaty of 1830? A I don't know.

Q Are there any additional statements you desire to make in support of the application for Isaac Williams and Rainy Williams, and their children? A No I reckon not.

Q Have you any documentary evidence, affidavits, written testimony of any description, copies of records, deeds or patents, or any other proper papers showing that any of the ancestors of Isaac Williams or Rainy Williams were recognized members of the Choctaw tribe of Indians in 1830, or that they ever complied or attempted to comply with the provisions of the 14th article of the treaty of 1830 or that they ever received any benefits under that article of that treaty? A No sir.

Q You are making this application under power of attorney in behalf of your brother? A Yes sir.

Q Is he your full brother? A Yes sir.

(This applicant, who appears for his brother under power of attorney, appears to be a full blood Choctaw, speaking the Choctaw language, and English imperfectly. He claims to be a full brother of Isaac Williams, for whom he makes this application.)

The decision of the Commission as to the application you make in behalf of your brother, Isaac Williams, wife and children, ~~will~~ for identification as Mississippi Choctaws will be determined at the earliest possible date, and a report of the same made to the Secretary of the Interior conformable to the provisions of the Twenty First Section of the Act of Congress of June 28, 1898, and a copy of the same will be mailed to the post office address of Isaac Williams, as given in your testimony.

Isaac Williams, et al., #4.

R.S. Streit being first duly sworn, upon his oath states that as stenographer to the Commission to the Five Civilized Tribes, he reported in full the proceedings in the above entitled cause on the 1st day of May, 1901, and that the above and foregoing is a full, true and correct translation of his stenographic notes of said proceedings on said date.

R.S. Streit

Subscribed and sworn to before me at Philadelphia, Mississippi, this 2nd day of April, 1901.

Howell I. Quinn

Justice of the Peace for
The First District.

ALBANY

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES

FILED

MAY 1 1901

ACTING CHAIRMAN

[Extensive handwritten notes and signatures, including names like "H. H. H." and "J. J. J."]

Commissioner of the Interior

Department of the Interior

Commission to the Five Civilized Tribes

POWER OF ATTORNEY.

KNOW ALL MEN That I, ISAAC WILLIAMS, of Neshoba County, state of Mississippi, do hereby constitute SMITH WILLIAMS, of Neshoba County, in said state, my attorney in fact to represent me in the presentation of my claim for identification as Mississippi Choctaws for myself and my family before the Commission to the Five Civilized Tribes, now holding a special session at Philadelphia, Neshoba County, Mississippi, in all matters pertaining to the presenting and hearing of said claim before said Commission in which I and my said family are interested as claimants for identification aforesaid; and I ratify any acts that may be taken by said Smith Williams as my said attorney, and abide by any decision which may be rendered by said Commission touching my said application, to the same extent as if said application had been made by me in person.

Witness my signature this 30 day of April, 1901.

Isaac Williams *

WITNES:

George Polk

State of Miss }
Neshoba County } Personally appeared before me H.S.
Quinn a Justice of the Peace for Dist
No 1 of said County and State, George Polk, the above
Subscribed Witness, who after being duly sworn by
me says that he saw the above named Isaac Williams,
sign the foregoing Power of Attorney

Howell S. Quinn
Justice of the Peace
4 Dist No 1 Neshoba County
State of Miss

**FOR IDENTIFICATION AS
A MISSISSIPPI CHOCTAW.**

IN RE

Application for Enrollment of

INFANT CHILD

Michael Williams.

as a citizen of

Nation.

Approved,

190

**FOR IDENTIFICATION AS
A MISSISSIPPI CHOCTAW**

Commissioner.

See MCR 1989

The within application is accepted as evidence of the birth of the within named child and is to be filed with and made a part of the original application of its parents for identification as Mississippi Choctaws, but is not to be considered as an application for its enrollment as a citizen of the Choctaw Nation.



Acting Chairman.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED

APR 3 1902



ACTING CHAIRMAN

MISSISSIPPI CHOCTAW. *R 1989*

See MCR 1989.
BIRTH AFFIDAVIT.

FOR IDENTIFICATION AS

A MISSISSIPPI CHOCTAW

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Identification
IN RE Application for Enrollment, as a citizen of the MISSISSIPPI CHOCTAW Nation,
of *Micheal Williams*, born on the *15* day of *October*, 1901
(Here insert name of child.)
Name of Father: *Isaac Williams (dead)*, a citizen of the MISSISSIPPI CHOCTAW Nation.
Name of Mother: *Rainey Williams*, a citizen of the MISSISSIPPI CHOCTAW Nation.
Post-office, *Tucker, Miss.*

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,

State of Mississippi
County of Neshoba

I, *Rainey Williams*, on oath state that I am *39*
years of age and a citizen of *Free Blood* of the *Choctaw Indian* Nation;
that I am the lawful wife of *Isaac Williams (dead)*, who was a citizen of *Free Blood* of the *Choctaw Indian* Nation, that a *male* child was
(male or female)
born to me on the *15* day of *October*, 1901; that said child has been
named *Micheal Williams*, and is now living.

WITNESSES TO MARK

(Must be Two)
(Witnesses)

Guy L. V. Emerson
Lee S. Stiles

Rainey *her* *Williams*
mark

Subscribed and sworn to before me this *10* day of *March*, 1902.

L. B. Mosely, Clerk
U. S. Circuit Court at District of Mississippi
By J. M. S. C.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,

State of Mississippi
County of Neshoba

I, *Eliza Billy*, a *midwife*, on oath state that I
attended on Mrs. *Rainey Williams*, wife of *Isaac Williams (dead)*,
on the *15* day of *October*, 1901; that there was born to her on
said date a *male* child; that said child is now living and is said to have been
(male or female)
named *Micheal Williams*.

WITNESSES TO MARK

(Must be Two)
(Witnesses)

Guy L. V. Emerson
Lee S. Stiles

Eliza *her* *Billy*
mark

Subscribed and sworn to before me this *10* day of *March*, 1902.

L. B. Mosely, Clerk
U. S. Circuit Court at District of Mississippi
By J. M. S. C.

Department of the Interior,
Commission to the Five Civilized Tribes,
Philadelphia, Mississippi, March 4th, 1902.

In the matter of the death of Isaac Williams, whose name appears upon Mississippi Choctaw Card, R-1989.

George Polk, having been first duly sworn, upon his oath testified as follows:

Examination by the Commission.

- Q What is your name? A George Polk.
Q How old are you, George? A I am forty three.
Q What's your post office address? A Tucker, Mississippi.
Q Are you a full blood Choctaw Indian? A Yes.
Q How long have you lived about Tucker? A About sixteen years.
Q Were you ever acquainted with a full blood Choctaw by the name of Isaac Williams? A Yes, sir.
Q Was he any relation to you? A Brother-in-law; he married my sister.
Q Is he living? A Done dead.
Q When did he die? A Last August.
Q Do you remember the day of the month? A Fifth day of August.
Q Where did he die? A He died at Tucker, in his own house.
Q Were you there when he died? A Yes, sir.
Q Did you go to his burial? A Yes, sir.
Q Where is he buried? A At Grave yard near Tucker.
Q Is his wife living? A Yes, sir.
Q What's her name? A Rainy.
Q Did he leave any children? A Yes, sir.
Q How many? A About three gals and one boy.
Q What are the names of the girls? A Bettie, Maggie and Cathlena.
Q What's the name of the boy? A Michael Williams.
Q When was he born? A He born in October 15th.
Q Last year? A Yes.
Q Was application made to the Commission on the first of last May for Isaac Williams and his family? A Yes, his brother Smith gave in his name at that time; Isaac was bad off and couldn't be there.
Q This child, Michael, has been born since the application was made in May, last year? A Yes.

R. S. Streit, having been first duly sworn, upon his oath states that as stenographer to the Commission to the Five Civilized Tribes, he reported in full all proceedings had in the above entitled cause on the 4th day of March, 1902, at Philadelphia, Mississippi, and that the above and foregoing is a full, true and correct translation of his stenographic notes of said proceedings in said cause upon said date.

R. S. Streit

Death of Isaac Williams, Jr.

Subscribed and sworn to before me at Seale, Mississippi, this
26th day of March, 1902.

L. B. Moody
Clerk U.S. Circuit Court,
Southern District of Mississippi.

By

John

Deputy.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

Cow.

In the matter of the application for the identification
of Isaac Williams, et al., as Mississippi Choctaws, M.C.R. 1989

-----D E C I S I O N -----

It appears from the record herein that application for identification as Mississippi Choctaws was made to this Commission on May 1, 1901, by Smith Williams for his brother Isaac Williams, his sister-in-law Rainy Williams, and his minor nieces Bettie, Maggie and Cathlena Williams, under the following provision of the Act of Congress approved June 28, 1898(30 Stats. 495):

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto and make report to the Secretary of the Interior."

It further appears from the record herein that since the date of the above application there was born to Isaac Williams and his wife a child named Micheal Williams.

From the evidence submitted in support of said application

it appears that all the applicants are full blood Mississippi Choctaw Indians.

Section forty-one of the Act of Congress entitled "An Act to ratify and confirm an agreement with the Choctaw and Chickasaw tribes of Indians, and for other purposes" approved July 1, 1902, (32 Stats. 641) and ratified by the Choctaw and Chickasaw Nations September 25, 1902, provides as follows:

"The application of no person for identification as a Mississippi Choctaw shall be received by said Commission after six months subsequent to the date of the final ratification of this agreement and in the disposition of such applications all full blood Mississippi Choctaw Indians and the descendants of any Mississippi Choctaw Indians whether of full or mixed blood who received a patent to land under the said fourteenth article of the said treaty of eighteen hundred and thirty who had not moved to and made bona fide settlement in the Choctaw-Chickasaw country prior to June twenty-eighth, eighteen hundred and ninety-eight, shall be deemed to be Mississippi Choctaws, entitled to benefits under article fourteen of the said treaty of September twenty-seventh, eighteen hundred and thirty, and to identification as such by said Commission, but this direction or provision shall be deemed to be only a rule of evidence and shall not be invoked by or operate to the advantage of any applicant who is not a Mississippi Choctaw of the full blood, or who is not the descendant of a Mississippi Choctaw who received a patent to land under said treaty, or who is otherwise barred from the right of citizenship in the Choctaw Nation, all of said Mississippi Choctaws so enrolled by said Commission shall be upon a separate roll."

It further appears from the record herein that Isaac Williams died on August 5, 1901.

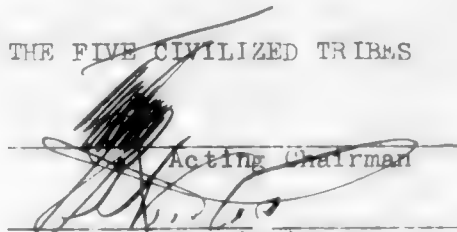
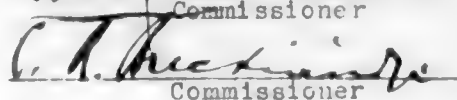
It is, therefore, the opinion of this Commission that Rainy Williams, Bettie Williams, Maggie Williams, Cathlena Williams and Micheal Williams should be identified as Mississippi Choctaws, and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory

FEB 14 1903

9


Acting Chairman

Commissioner

COPY.

M.C.R. 1989

Muskogee, Indian Territory, February 21, 1903.

Mansfield, McMurray & Cornish,

Attorneys for the Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:-

Enclosed herewith you will find a copy of the decision of the Commission rendered February 14, 1903, identifying Isaac Williams, his wife Rainy Williams and his minor children, Bettie Williams, Maggie Williams, Cathlena Williams and Micheal Williams as Mississippi Choctaw Indians under the provisions of the forty-first section of the act of Congress approved July 1, 1902 (32 Stats. 841).

You are hereby advised that you will be allowed fifteen days from the date hereof in which to file with this Commission such protest as you desire to make against the action of the Commission in identifying the said Isaac Williams, his wife and children, as Mississippi Choctaws, and make satisfactory proof of service of said protest upon the applicants herein.

If you fail to file such protest within the time allowed, the names of the applicants herein will be placed upon the schedule of duly identified Mississippi Choctaws now being prepared by this Commission.

Respectfully,

Tame Birby.

Acting Chairman

Registered
Enclosure M.C.R. 1989

COPY.

M.C.R. 1989

Muskogee, Indian Territory, March 11, 1903.

Rainy Williams,

Tucker, Mississippi.

Dear Madam:

Enclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered February 14, 1903, identifying yourself and your minor children, Bettie Williams, Maggie Williams, Cathlena Williams and Michael Williams as Mississippi Choctaw Indians under the provisions of Section 41 of the Act of Congress approved July 1, 1902, (32 Stats., 641).

If you remove to the Choctaw-Chickasaw country, Indian Territory, before August 14, 1903, you will have six months from that date, or until February 14, 1904, within which to make proof of such removal and settlement at the office of the Commission at Atoka, Choctaw Nation, or Tishomingo, Chickasaw Nation.

Respectfully,

SIGNED

Tamm Diney

Chairman.

Registered.

Mno. 1989

M C R 1905

Muskogee, Indian Territory, April 7, 1905.

George Simpson,

Galloway, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of the application for enrollment as a citizen of the Choctaw Nation of Easton Simpson, infant son of George and Rainey Simpson, nee Williams, born February 22, 1905.

Respectfully,

Commissioner in Charge.

For Identification as a Mississippi Choctaw.

Date

1901

Name Isaac Williams who
is represented by Smith Williams, under
Power of Attorney.
Age 44 $\frac{4}{4}$ Blood full

Post Office, Tucker, Miss.

Father: John Williams, ^{full blood} dMother: Sallie " ^{full blood} d

Claims through both parents.

Wife,

Raimy Williams, full blood d

age $\frac{23}{23}$
Wife's father - Jim Palk, full blood, d
" mother - Mary " " d

Children:

Bettie 7

Maggie 5

Catharina 3

See M.C. Card filed No

204

Claims for Isaac Williams
his wife and 3 children -

Stenographer R. A. Strick -

Mac Williams, et

IDENT

RENDERED

RECEIVED
FIRE
KASAWA

COPY OF DECISION FORWARDED
APPLICANT

MAR 11 1903

Choctaw MCR 1990

Sealy Too Kolo

MCR 1990

R1990

Toad

R 1990

COPY OF DECISION FORWARDED TO
APPLICANT

MAR 11 1903

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

The within record is in the matter of the application
of Sealy Tookolo, et al., for identification as Mississippi
Choctaws ----- M.C.R. 1990

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

In the matter of the application of Sealy Tookolo, et
al., for identification as Mississippi Choctaws, M.C.R. 1990.

I N D E X

	Page
Original application of Sealy Tookolo, et al., to the Dawes Commission for identification as Mississippi Choctaws	1
Decision of the Commission identifying Sealy Tookolo et al., as Mississippi Choctaws	5

1990

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Philadelphia, Mississippi, May 1, 1901.

In the matter of the application of Sealy Tookolo, for the identification of herself and grand child as Mississippi Choctaws.

Sealy Tookolo, being first duly sworn, upon her oath testified as follows: (Jesse Billey, duly sworn interpreter.)

Examination by the Commission.

- Q What is your name? A Sealy Tookolo.
Q What is your age? A About 50.
Q What is your post office address? A Philadelphia, Mississippi.
Q How long have you lived in Mississippi? A All my life.
Q Is your father living? A Dead long time.
Q What was his name? A Jim Shulager.
Q Did he have a Choctaw name? A No.
Q Is your mother living? A Dead.
Q What was your mother's name? A Amy.
Q Did she have a Choctaw name? A No, that's all.
Q Did your father and mother always live in Mississippi? A Yes, raised right here in Mississippi.
Q Have all of your fore-fathers lived in Mississippi? A Yes.
Q Were your father and mother both full blood Choctaws? A Yes.
Q You claim them to be a full blood Choctaw? A Yes sir.
Q Were either your father or mother recognized in any manner or enrolled as members of the Choctaw tribe of Indians out in the Indian Territory by the Choctaw tribal officers or by the United States authorities? A No.
Q Are you married? A My husband's dead.
Q What was your husband's name? A Billey Tookolo.
Q When did Billey die? A About 15 years ago.
Q Have you any children under twenty one years of age and unmarried? A No.
Q This application then is for yourself only? A I want to make application also for my grand child.
Q What is the name of this child? A Leo.
Q Leo what? A Leo Jim.
Q How old is Leo Jim? A Two years old.
Q What is the name of the father of this child? A Jim.
Q Didn't he have any other name? A Jim Tookolo.
Q Was Jim Tookolo your son? A Yes.
Q Is Jim Tookolo dead? A Yes.
Q What is the name of the mother of this child? A Bicey.
Q What was her other name? A Bicey Polk.
Q Is Bicey dead? A Yes.
Q When did Bicey die? A Last July a year ago.
Q Is Leo living with you? A Yes.
Q Has he lived with you ever since his father and mother died?
A Yes.
Q Were Bicey and Jim both full blood Choctaws? A Yes.
Q You claim then that Leo Jim was a full blood Choctaw? A Yes.
Q Did his father and mother always live in the State of Mississippi?
A Yes sir.
Q Did Bicey's father and mother always live in Mississippi? A Yes.
Q Did all of Bicey's fore-parents live in the State of Mississippi?
A ~~Yes~~ I don't know.
Q Is your name on any of the tribal rolls of the Choctaw Nation, in the Indian Territory? A I don't know.
Q Did you ever make application to the Choctaw tribal authorities in Indian Territory to be enrolled as a member of that tribe? A No.

Sealy Tookolo, et al., #2.

Q Have you ever been admitted to citizenship in the Choctaw Nation Indian Territory by the Choctaw tribal authorities, by the Commission to the Five Civilized Tribes, or by the United States Court in Indian Territory? A I don't know.

Q Have you ever prior to this time made application to the Choctaw tribal authorities or to the authorities of the United States to be enrolled or admitted as a citizen of the Choctaw Nation? A No.

Q This is the first application that has ever been made for you? A Yes. In 1899.

The records fail to show that this applicant appeared before the Commission in 1899.

Q Now, the appearance which you claim to have made before the Commission in the ~~only~~ year 1899, is the only application you have ever made is it? A Yes.

Q Is the name of Leo Tookolo on any of the tribal rolls of the Choctaw Nation in Indian Territory? A No.

Q Was an application ever made for him to the Choctaw authorities to have his name enrolled as a member of the Choctaw tribe of Indians? A I don't know.

Q He has never then been admitted to citizenship in the Choctaw Nation either by the Choctaw tribal authorities, the Commission to the Five Civilized Tribes, or by the United States Court has he? A I don't know.

Q Has an application ever been made for Leo Tookolo before this to the tribal authorities, or to the authorities of the Government? A His father appeared for him two years ago.

The records of the Commission show that on January 31, 1899, Jim Tookolo appeared before the Commission at Philadelphia, Mississippi and made application for the identification of himself, his wife, Bicey and son, Leo Tookolo; their names appear upon Mississippi Choctaw card, Field Number 174; also upon page 57 of the Schedule of Mississippi Choctaws which accompanied the report of March 10, 1899, of the Commission to the Five Civilized Tribes to the Secretary of the Interior as to the identity of Choctaw Indians residing in Mississippi, claiming rights in the Choctaw lands under the provisions of the 14th article of the treaty of 1830, between the United States and the Choctaw Indians, being numbers 598, 599 and 600, respectively, thereon.

Q Jim and Bicey have died since Jim appeared here two years ago, have they? A Yes.

Q This application two years ago is the only application of any kind that was ever made for Leo Tookolo, is it not? A Yes.

Q You now desire to make application for the identification of yourself and grand child, Leo Tookolo, as Mississippi Choctaws? A Yes.

Q You claim your rights under the provisions of the 14th article of the treaty of Dancing Rabbit Creek, do you? A Yes.

Q The 14th article of that treaty is as follows:

"Each Choctaw head of a family being desirous to remain and become a citizen of the States shall be permitted to do so by signifying his intention to the agent within six months from the ratification of this treaty, and he or she shall thereupon be entitled to a reservation of one section of one hundred and sixty four acres of land, to be bounded by sectional lines of survey; in like manner shall be entitled

Sealy Tookolo, et al., #3.

to one-half that quantity for each unmarried child which is living with him over ten years of age; and a quarter section to such child as may be under ten years of age, to adjoin the location of the parent. If they reside upon said lands intending to become citizens of the States for five years after the ratification of this treaty, in that case a grant in fee simple shall issue; said reservation shall include the present improvement of the head of the family or a portion of it. Persons who claim under this article shall not lose the privilege of a Choctaw citizen, but if they ever remove are not entitled to any portion of the Choctaw annuity."

Q Have you ever received any benefits as a Choctaw Indian? A No.

Q Have any of your ancestors ever received any benefits as Choctaw Indians? A I don't know.

Q Did any of Leo Tookolo's ancestors ever receive any benefits as Choctaws? A I don't know.

Q Were any of your ancestors, or any of Leo Tookolo's ancestors living in Mississippi in 1830, when the treaty of Dancing Rabbit Creek was entered into between the United States and the Choctaw Indians? A I don't know.

Q Do you know whether any of your ancestors or any of Leo's ancestors were recognized members of the Choctaw tribe of Indians at that time? A I don't know.

Q Did any of your ancestors, or any of Leo's ancestors move from this old Choctaw Nation in Mississippi and Alabama to the present Choctaw Nation in the Indian Territory when the main part of the Choctaws moved out there between the years 1833 and 1838? A No.

Q Did any of your ancestors or any of Leo's ancestors within six months after the ratification of the treaty of Dancing Rabbit Creek signify to the United States Indian Agent of the Choctaws in Mississippi, their intention to remain in Mississippi and become citizens of the States? A I don't know.

Q Did any of your ancestors or any of Leo's ancestors ever claim or receive any land in the State of Mississippi under the provisions of the 14th article of the treaty of Dancing Rabbit Creek? A I don't know.

Q Are there any additional statements you desire to make at this time in support of this application? A No.

Q Have you any documentary evidence affidavits, written testimony of any description, copies of records, deeds or patents, or any other proper papers showing that any of your ancestors or any of the ancestors of Leo Tookolo, were recognized members of the Choctaw tribe of Indians in 1830 when the treaty of Dancing Rabbit Creek was made or that any of them ever complied or attempted to comply with the provisions of the 14th article of that treaty or ever received any benefits thereunder? A No.

(This applicant has the appearance of being a full blood Indian; she does not speak the English language, the examination having been conducted through a sworn Choctaw interpreter.)

The decision of the Commission as to the application you make for the identification of yourself and grand child as Mississippi Choctaws will be determined at the earliest possible date, and a report of the same made to the Secretary of the Interior conformable to the provisions of the Twenty First Section of the Act of Congress of June 22, 1898, and a copy of the same will be mailed to you at your post office address as given in your testimony.

Sealy Tookolo, et al., #4.

R. S. Streit, being first duly sworn, upon his oath states that as stenographer to the Commission to the Five Civilized Tribes, he reported the proceedings in the above entitled cause in full on the 1st day of May, 1901, and that the foregoing is a full, true and correct translation of his stenographic notes of said proceedings on said date.

R. S. Streit

Subscribed and sworn to before me at Philadelphia, Mississippi, this 2nd day of April, 1901.

Howell I. Quinn
Justice of the Peace for
The First District.

C. W. L.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

In the matter of the application of Sealy Tookolo,
et al., for identification as Mississippi Choctaws, M.C.R. 1990.

-----D E C I S I O N -----

It appears from the record herein that application for identification as Mississippi Choctaws was made to this Commission on May 1, 1901, by Sealy Tookolo for herself and her minor grandchild, Leo Jim Tookolo, under the following provision of the Act of Congress approved June 28, 1898 (30 Stats. 495):

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto and make report to the Secretary of the Interior."

From the evidence submitted in support of said application it appears that both the applicants are full blood Mississippi Choctaw Indians.

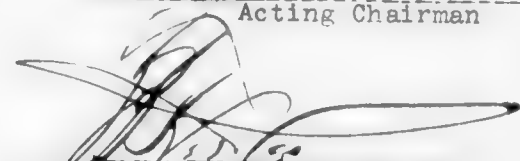
Section forty-one of the Act of Congress entitled "An Act to ratify and confirm an agreement with the Choctaw and Chickasaw tribes of Indians, and for other purposes" approved July 1, 1902, (32 Stats. 641) and ratified by the Choctaw and Chickasaw Nations September 25, 1902, provides as follows:

"The application of no person for identification as a Mississippi Choctaw shall be received by said Commission after six months subsequent to the date of the final ratification of this agreement and in the disposition of such applications all full blood Mississippi Choctaw Indians and the descendants of any Mississippi Choctaw Indians whether of full or mixed blood who received a patent to land under the said fourteenth article of the said treaty of eighteen hundred and thirty who had not moved to and made bona fide settlement in the Choctaw-Chickasaw country prior to June twenty-eighth, eighteen hundred and ninety eight, shall be deemed to be Mississippi Choctaws, entitled to benefits under article fourteen of the said treaty of September twenty-seventh, eighteen hundred and thirty, and to identification as such by said Commission, but this direction or provision shall be deemed to be only a rule of evidence and shall not be invoked by or operate to the advantage of any applicant who is not a Mississippi Choctaw of the full blood, or who is not the descendant of a Mississippi Choctaw who received a patent to land under said treaty, or who is otherwise barred from the right of citizenship in the Choctaw Nation, all of said Mississippi Choctaws so enrolled by said Commission shall be upon a separate roll."

It is, therefore, the opinion of this Commission that Sealy Tookolo and Leo Jim Tookolo should be identified as Mississippi Choctaws, and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES


Acting Chairman


Commissioner

Muskogee, Indian Territory

FEB 14 1903

6 
Commissioner

COPY.

M.C.R. 1990

Muskogee, Indian Territory, February 21, 1903

Mansfield, McMurray & Cornish,

Attorneys for the Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:-

Enclosed herewith you will find a copy of the decision of the Commission rendered February 14, 1903, identifying Sealy Tookolo and her minor grand-child, Leo Jim Tookolo, as Mississippi Choctaw Indians under the provisions of the forty-first section of the act of Congress approved July 1, 1902 (32 Stats. 641).

You are hereby advised that you will be allowed fifteen days from the date hereof, in which to file with this Commission such protest as you desire to make against the action of the Commission in identifying the said Sealy Tookolo and her grand-child as Mississippi Choctaws, and make satisfactory proof of service of said protest upon the applicants herein.

If you fail to file such protest within the time allowed, the names of the applicants herein will be placed upon the schedule of duly identified Mississippi Choctaws now being prepared by this Commission.

Respectfully,

W. B. Smith
Acting Chairman

Registered
Enclosure C.H. 32

M C R 1990.

Muskogee, Indian Territory, March 11, 1903.

Sealy Tookolo,

Philadelphia, Mississippi.

Dear Madam:

Enclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered February 14, 1903, identifying yourself and your grandson, Leo Jim Tookolo, as Mississippi Choctaw Indians under the provisions of section 41 of the act of Congress approved July 1, 1902, (32 Stats., 641).

If you remove to the Choctaw-Chickasaw country, Indian Territory, before August 14, 1903, you will have six months from that date or until February 14, 1904, within which to make proof of such removal and settlement at the office of the Commission at Atoka, Choctaw Nation, or Tishomingo, Chickasaw Nation.

Respectfully,

Jams Bixby.

Chairman.

Registered.

Enc. 1990.

No

1000

For Identification as a Mississippi Choctaw.

Date

Name Seely Tokolo.

Age 50 Blood full

Post Office, Philadelphia Miss

Father: Jim Shulager (dead)

Mother: Amy " "

Claims through both parents.

Husband Billy Tokalo (dead)

(Claims for herself ~~only~~)

Children:

Leo Jim 2 L

Father Jim Tokolo (dead)

Mother Bicy " "

(See Miss. Choct. Cor. No 174 as

to Leo Tokalo. - Testimony 1/31/99)

Stenographer

R. S. Street

Choctaw MCR 1991

Nancy Jackson

MCR 1991

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

In the matter of the application of Nancy Jackson,
et al., for identification as Mississippi Choctaws,

M.C.R. 1991

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

In the matter of the application of wancy Jackson,
et al., for identification as Mississippi Choctaws, M.C.R. 1991

I N D E X

	Page
Original application of Nancy Jackson et al., to the Dawes Commission for identification as Mississippi Choctaws	1
Copy of the testimony of John Reece, taken at Holycross Mississippi April 2, 1902, relative to the death of Larney Jackson,	4
Copy of the testimony of Jackson, given at Philadelphia, Mississippi January 30, 1899,	6
Decision of the Commission identifying the living applicants embraced in the application of Nancy Jackson, et al., as Mississippi Choctaws	7

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
PHILADELPHIA, Neshoba County, Miss., January 30, 1899.

Applications for identification as Mississippi Choctaws.

JACKSON, the applicant, states; I am 60 years old and a full blood Choctaw. My wife is a full blood named Nancy, about 40 years old. We have the following children living with us: Larna, 17; Bessie, 9; and Patsey, 5 years old
(Full Blood)

Henry G. Hains, stenographer to the Commission to the Five Civilized Tribes, states on oath that the above is a true and correct copy of the testimony given by Jackson at Philadelphia, Neshoba County, Mississippi, January 30, 1899, as appears from the records of the Commission.

Henry G. Hains

Subscribed and sworn to before me this 12 day of January, 1903.

Charles H. Hains

Notary Public.

West

1291

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Philadelphia, Mississippi, May 1, 1901.

In the matter of the application of Nancy Jackson for the identification of herself and three minor children as Mississippi Choctaws.

Nancy Jackson, being first duly sworn, upon her oath testified as follows: (Tom Tubbee, official interpreter.)

Examination by the Commission.

- Q What is your name? A Nancy Jackson.
- Q What is your age? A 65.
- Q What is your post office address? A Philadelphia.
- Q How long have you lived in Philadelphia? A This year.
- Q Where did you live before you lived in Philadelphia? A Catholic Mission.
- Q Where is that - Catholic Mission? A About six miles from Philadelphia.
- Q Have you always lived in Mississippi? A Yes.
- Q Where were you born? A I don't know.
- Q But you know you have always lived in Mississippi? A Yes.
- ✓ Q What is your father's name? A Big Jack.
- Q Is he living? A Dead.
- ✓ Q Was he a full blood Choctaw? A Yes.
- ✓ Q What was your mother's name? A Martha.
- Q Is she living? A She is living.
- Q Is her name Martha Jack, or just Martha? A Martha Jack - Martha Big Jack.
- ✓ Q Full blood? A Yes.
- Q ~~Do you~~
- ✓ Q Do you claim your Choctaw blood through both parents? A Yes.
- ✓ Q Are you a full blood? A Yes.
- Q Have your parents through whom you claim your right to identification as a Mississippi Choctaw, ever been recognized in any manner or enrolled as a Member of the Choctaw tribe of Indians by the Choctaw tribal authorities, or by the authorities of the United States? A I don't know.
- Q Are you married? A Widow.
- ✓ Q What was your husband's name? A Jackson.
- Q Is he dead? A Yes.
- Q Have you any children under twenty one years of age and unmarried that you want to make application for now? A Yes, three children.
- Q What is the name of the oldest child? A Larney Jackson.
- Q Is that a boy? A Yes.
- Q How old is Larney? A Nineteen years old.
- Q What is the name of the next child? A Bessie.
- Q How old is Bessie? A Sixteen.
- Q What is the next child's name? A Patsey.
- Q Is Patsey a girl? A Yes.
- Q How old is Patsey? A About nine.
- ✓ Q Was Jackson the father of these three children? A Yes.
- Q Are you the mother? A Yes.
- Q Are the children living at your home? A Yes.
- Q Is your name on any of the tribal rolls of the Choctaw Nation in Indian Territory? A I don't know.
- Q Have you ever made application to the Choctaw tribal authorities in the Indian Territory for yourself or your children to be enrolled as members of that tribe? A I don't know.
- Q Did you, or did anyone for you in 1896, make application to the Commission to the Five Civilized Tribes for yourself and children for citizenship in the Choctaw Nation under the Act of Congress of June 10, 1896? A I don't know.
- 1

Nancy Jackson, et al. #2.

Q Have you ever been admitted to citizenship in the Choctaw Nation either by the Choctaw tribal authorities, by the Commission to the Five Civilized Tribes, or by the United States Court in Indian Territory? A I don't know.

Q Have you ever made application for yourself or your children before this time to either the Choctaw tribal authorities or the authorities of the United States to be admitted or enrolled as a citizen of the Choctaw Nation? A Yes.

The records of the Commission show that on January 30, 1899, Jackson, the deceased husband of the applicant, appeared before the Commission at Philadelphia, Mississippi and made application for the identification of himself, his wife, Nancy, and three minor children, as Mississippi Choctaws; his testimony at that time being as follows: "I am sixty years old, and a full blood Choctaw; my wife is a full blood Choctaw, named Nancy, about forty years of age; we have the following children living with us: Larna, 17, Bissie 9, and Patsey 5 years old." The names of these parties appear upon Mississippi Choctaw card, Field Number 122, except that the name Larna appears upon said card as Laura. The names of these persons also appear upon page 50 of the Schedule of Mississippi Choctaws, which accompanied the report of March 10, 1899, of the Commission to the Five Civilized Tribes to the Secretary of the Interior as to the identity of Choctaw Indians residing in Mississippi, claiming rights in the Choctaw lands under the provisions of the Fourteenth Article of the Treaty of Dancing Rabbit Creek, being numbers 489, 490, 491, 492 and 493, respectively, thereon.

Q When did your husband die? A August 1899.

Q Do you now come to the Commission to be identified as a Mississippi Choctaw, and also to have your children identified as Mississippi Choctaws? A Yes.

Q Do you claim your rights as a beneficiary under the provisions of the 14th article of the treaty of 1830? A I don't know.

Q I will read the 14th article to you; it is as follows:

"Each Choctaw head of a family being desirous to remain and become a citizen of the States shall be permitted to do so by signifying his intention to the agent within six months from the ratification of this treaty, and he or she shall thereupon be entitled to a reservation of one section of six hundred and forty acres of land, to be bounded by sectional lines of survey; in like manner shall be entitled to one-half that quantity for each unmarried child which is living with him over ten years of age; and a quarter section to such child as may be under ten years of age, to adjoin the location of the parent. If they reside upon said lands intending to become citizens of the States for five years after the ratification of this treaty, in that case a grant in fee simple shall issue; said reservations shall include the present improvement of the head of the family or a portion of it. Persons who claim under this article shall not lose the privilege of a Choctaw citizen, but if they ever remove are not entitled to any portion of the Choctaw annuity."

Q Have you ever received any benefits as a Choctaw Indian? A No.

Q Have any of your ancestors ever received any benefits as Choctaw Indians? A At that time, I just little baby; don't know nothing about it.

Q Do you remember the name of your grand father or grand mother, any of them? A Don't know.

Q Have you any evidence showing that your ancestors were recognized

Nancy Jackson, et al., #3.

members of the Choctaw tribe of Indians in 1830? A I don't know.

Q Did any of your ancestors go from the territory occupied by the Choctaws in Mississippi and Alabama with the other Indians to the Indian Territory in the years 1830 and 1831? A I don't know.

Q Did any of your ancestors within six months from the ratification of the treaty of 1830, tell the United States Indian Agent of the Choctaw Indians in Mississippi that they intended to stay in Mississippi and become citizens of the States? A I don't know.

Q Did any of your ancestors ever claim or receive any land in Mississippi under Article 14 of the treaty of 1830? A I don't know.

Q Are there any additional statements you want to make in support of this application? A No.

Q Have you any documentary evidence, affidavits, written testimony of any description, copies of records, deeds or patents, or any other papers showing that your ancestors were ever recognized members of the Choctaw tribe of Indians in Mississippi in 1830, or that they ever complied or attempted to comply with the provisions of the 14th article of the treaty of 1830, or that they ever received any benefits under that article of that treaty? A No.

(This applicant appears to be a full blood Choctaw Indian; she does not speak English, this examination being conducted through a sworn interpreter of the Choctaw language, who translated her replies to questions in the English language)

The decision of the Commission as to the application made by you for the identification of yourself and three minor children as Mississippi Choctaws will be determined at the earliest possible date, and a report of the same made to the Secretary of the Interior conformable to the provisions of the Twenty First Section of the Act of Congress of June 26, 1898, and a copy of the same will be mailed to you at your post office address as given in your testimony.

R.S. Streit, being first duly sworn, upon his oath states that as stenographer to the Commission to the Five Civilized Tribes, he reported the proceedings in full in the above entitled cause, on the 1st day of May, 1901, and that the foregoing is a full, true and correct translation of his stenographic notes of said proceedings on said date.

R.S. Streit

Subscribed and sworn to before me at Philadelphia, Mississippi, this 1st day of May, 1901.

Howell D. Quinn
Justice of the Peace.

Department of the Interior,
Commission to the Five Civilized Tribes,
Holly Cross, Mississippi, April 22, 1902.

In the matter of the death of Larney Jackson, whose name appears upon Mississippi Choctaw Card, Field Number R-1991.

John Reese, having been first duly sworn, upon his oath testified as follows: (Oscar Billey, Official Interpreter.)

Examination by the Commission.

- Q What is your name? A John Reese.
Q How old are you John? A It's about twenty three somewhere, I don't know how long.
Q What's your post office address? A North Bend.
Q Do you live in Neshoba County? Mississippi? A Yes.
Q How long have you lived in Neshoba County? A About ten years.
Q Where did you live before that? A In Newton County.
Q Have you lived in this State all your life? A Yes.
Q Are you a full blood Choctaw Indian? A Yes, I am a full blood Choctaw.
Q Are you acquainted with Nancy Jackson? A Yes, sir.
Q Is she any relation to you? A Yes, sir.
Q What relations? A My step-mother.
Q Does she live with you? A No, she lived up at ~~Shash~~ Hobo Harris near me.
Q Has she any minor children living? A Yes.
Q How many? A Got two.
Q What are their names? A Patsy and Bessie.
Q Did she ever have a child by the name of Larney? A Yes.
Q Is that child living now? A No, she died.
Q When did she die? A Last spring some time.
Q Was it a boy or girl? A Boy.
Q You don't remember the mother he died? A No.
Q Nancy Jackson appeared before the Commission at Philadelphia on the 6th day of May last, and gave in her name, and the names of her three children, Larney, and Bessie and Patsy; how long after she appeared before us at Philadelphia was it that this child died?
A I don't know how long.
Q Were you present when this child died? A Yes, I was down there.
Q Was you at his burial? A Yes.
Q Where is it buried? A At Tucker, Neshoba County, Mississippi.

R. S.

R. S. Streit, having been first duly sworn, upon his oath states that as stenographer to the Commission to the Five Civilized Tribes, he reported in full all proceedings had in the above entitled cause on the 2nd day of April, 1902, and that the above is a true and correct translation of his stenographic notes in said cause on said date.

R. S. Streit

Death of Luther Jackson, 2.

Subscribed and sworn to before me at Telus, Mississippi, this
9th day of April, 1902.

L. B. Mosley
Clerk U. S. Circuit Court,
Southern District of Mississippi,

By

M. A. Smith

Deputy.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
PHILADELPHIA, Neshoba County, Miss., January 30, 1899.

Applications for identification as Mississippi Choctaws.

✓ JACKSON, the applicant, states; I am 60 years old and a full blood Choctaw. My wife is a full blood named Nancy, about 40 years old. We have the following children living with us: Larna, 17; Bissie, 9; and Patsey, 5 years old
(Full, Blood)

Henry G. Hains, stenographer to the Commission to the Five Civilized Tribes, states on oath that the above is a true and correct copy of the testimony given by Jackson at Philadelphia, Neshoba County, Mississippi, January 30, 1899, as appears from the records of the Commission.

Henry G. Hains

Subscribed and sworn to before me this 14 day of January, 1903.

Charles W. Sawyer

Notary Public.

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DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

In the matter of the application of Nancy Jackson,
et al., for identification as Mississippi Choctaws, M.C.R. 1991

-----D E C I S I O N -----

It appears from the record herein that application for identification as Mississippi Choctaws was made to this Commission on May 1, 1901, by Nancy Jackson for herself, and her three minor children, Larney, Bessie and Patsey Jackson, under the following provision of the Act of Congress approved June 28, 1898 (30 Stats. 495):

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto and make report to the Secretary of the Interior."

From the evidence submitted in support of said application it appears that all the applicants are full blood Mississippi Choctaw Indians.

Section forty-one of the Act of Congress entitled "An Act to ratify and confirm an agreement with the Choctaw and Chickasaw


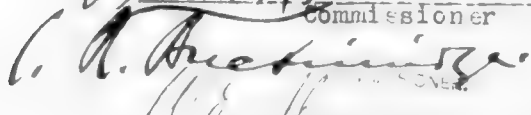
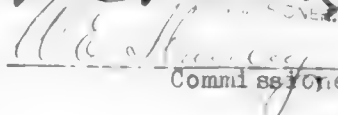
tribes of Indians, and for other purposes" approved July 1, 1902, (32 Stats. 641) and ratified by the Choctaw and Chickasaw Nations September 25, 1902, provides as follows:

"The application of no person for identification as a Mississippi Choctaw shall be received by said Commission after six months subsequent to the date of the final ratification of this agreement and in the disposition of such applications all full blood Mississippi Choctaw Indians and the descendants of any Mississippi Choctaw Indians whether of full or mixed blood who received a patent to land under the said fourteenth article of the said treaty of eighteen hundred and thirty who had not moved to and made bona fide settlement in the Choctaw-Chickasaw country prior to June twenty-eighth, eighteen hundred and ninety-eight, shall be deemed to be Mississippi Choctaws, entitled to benefits under article fourteen of the said treaty of September twenty-seventh, eighteen hundred and thirty, and to identification as such by said Commission, but this direction or provision shall be deemed to be only a rule of evidence and shall not be invoked by or operate to the advantage of any applicant who is not a Mississippi Choctaw of the full blood, or who is not the descendant of a Mississippi Choctaw who received a patent to land under said treaty, or who is otherwise barred from the right of citizenship in the Choctaw Nation, all of said Mississippi Choctaws so enrolled by said Commission shall be upon a separate roll."

It further appears from the record herein that Larney Jackson died shortly after application was made for him.

It is, therefore, the opinion of this Commission that Nancy Jackson, Bessie Jackson and Patsey Jackson should be identified as Mississippi Choctaws, and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES


Acting Chairman

Commissioner

Commissioner

Muskogee, Indian Territory

JUL 8 1903

H.C.R. 1991

COPY.

Muskogee, Indian Territory, July 8, 1905.

Nancy Jackson,

Philadelphia, Mississippi.

Dear Madam:

Inclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered July 8, 1903, identifying yourself and your two minor children, Bessie and Patsey Jackson, as Mississippi Choctaw Indians under the provisions of Section 41 of the Act of Congress approved July 1, 1902 (32 Stat., 641).

If you remove to the Choctaw-Chickasaw country, Indian Territory, before January 8, 1904, you will have six months from that date, or until July 8, 1904, within which to make proof of such removal and settlement at the office of the Commission at Atoka, Choctaw Nation, or Tishomingo, Chickasaw Nation.

Respectfully,

(SIGNED)

T. E. Needles.

Commissioner in Charge.

Registered.

Enc. 1991.

W.C.R. 1991

COPY.

Muskogee, Indian Territory, July 8, 1903.

Mansfield, McMurray & Cornish,
Attorneys for Choctaw and Chickasaw Nations,
South McAlester, Indian Territory.

Gentlemen:

Inclosed herewith you will find a copy of the decision of the Commission, rendered July 8, 1903, identifying Nancy Jackson and her two minor children, Bessie and Patsey Jackson, as Mississippi Choctaw Indians under the provisions of Section 41 of the Act of Congress approved July 1, 1902 (32 Stats., 641).

You are hereby advised that you will be allowed fifteen days from the date hereof in which to file with this Commission such protest as you desire to make against the action of the Commission in identifying the said Nancy Jackson and children as Mississippi Choctaws and make satisfactory proof of service of said protest upon the applicants herein.

If you fail to file such protest within the time allowed, the names of the applicants herein will be placed upon the schedule of duly identified Mississippi Choctaws now being prepared by this Commission.

Respectfully,

W.D. *I. E. Jackson*

Commissioner in Charge.

Registered.

Enc. 1991.

For Identification as a Mississippi Choctaw.

Date MAY 1, 1901

Name Nancy Jackson,

Age 65 Blood full

Post Office, Philadelphia, Miss.

Father; Big Jack. full blood. d.

Mother: Martha Big Jack ^{full blood} l

Claims through both parents.

Husband

Jackson ——— d

See M.C. card No. 122.

Children:

Larney (boy) 19

Bessie girl 16

Patsey ——— (girl) 9

Claims for herself and
three children. —

Stenographer

R. S. Streit

Nancy Jackson et al

IDENT - 70

Choctaw MCR 1992

Williamson Alex

MCR 1992

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

The within record is in the matter of the application
of Williamson Alex for identification as a Mississippi
Choctaw-----M.C.R. 1992

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

In the matter of the application of Williamson Alex
for identification as a Mississippi Choctaw---M.C.R. 1992

I N D E X

Original application of Williamson Alex to the Dawes Commission for identification as a Mississippi Choctaw-----	Page 1
Decision of the Commission identifying Williamson Alex as a Mississippi Choctaw	4

1912

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Philadelphia, Mississippi, May 1st, 1901.

In the matter of the application of Williamson Alex for identification as a Mississippi Choctaw.

Williamson Alex, having been first duly sworn, upon his oath testifies as follows through Tom Tubbee, duly sworn interpreter:

Examination by the Commission:

- Q What is your name? A Williamson Alex.
- Q What is your age? A Twenty three.
- Q What is your post office address? A Seal, Mississippi.
- Q How long have you lived at Seal? A Born right there.
- Q What do you call the place where you live? A Bogue Chitto, Neshoba County, Mississippi.
- Q Have you always lived in Mississippi? A Yes.
- Q What is your father's name? A Austin Alex.
- Q Is he living? A No.
- Q What is your mother's name? A Celia.
- Q Is she living? A No, dead.
- Q Was your father a full blood Choctaw? A Yes.
- Q Was your mother a full blood Choctaw? A Yes.
- Q Are you a full blood Choctaw? A Yes.
- Q Has your father or mother through whom you claim your right to identification as a Mississippi Choctaw ever been recognized in any manner or enrolled as a member of the Choctaw tribe of Indians either by the Choctaw tribal authorities or by the authorities of the United States? A No.
- Q Are you now in the jail here charged with manslaughter? A Yes.
- Q Are you married? A Yes.
- Q Did your wife desert you? A Yes, quit me.
- Q When? A Last October.
- Q Do you want to make any application for your wife? A Married another man and I don't want make application for her.
- Q Have you any children? A There had been two, but just born and died same night.
- Q Are you making application for yourself alone? A Yes.
- Q Is your name on any of the tribal rolls of the Choctaw Nation in the Indian Territory? A Don't know.
- Q Have you ever made application to the Choctaw tribal authorities in the Indian Territory to be enrolled as a member of that tribe? A No.
- Q Did you or any one for you in 1896 make application to the Commission to the Five Civilized Tribes for citizenship in the Choctaw Nation under the act of Congress of June 10, 1896? A No.
- Q Have you ever been admitted to citizenship in the Choctaw Nation by either the Choctaw tribal authorities, the Commission to the Five Civilized Tribes or by the United States Court in Indian Territory? A Don't know.
- Q Have you ever made application before this time to either the Choctaw tribal authorities or to the authorities of the United States to be admitted or enrolled as a citizen of the Choctaw Nation? A No.
- Q Have you any brothers and sisters under twenty one years of age and unmarried? A One brother under twenty years old, and a sister sixteen.
- Q Is that brother who is under twenty one years old married? A No.
- Q Is that sister sixteen years old married? A No.
- Q Are your father and mother dead? A Yes.

Williamson Alex---2.

Q Where is your brother under twenty one years old living? A He works for Ed Henson.

Q He is not living with any of his kin? A No.

Q And where is the girl staying? A She stays down here four miles

Q Is she staying with any kin? A She stays with an aunt.

Q Do you want to make application for your brother and sister?

A The brother under twenty years old he did give it in somewhere-- he gave it in lately.

Q What is your brother's name? A John Long.

Q What is your sister's name? A Alice Alex.

Q You say this sister is staying with your aunt? A Yes.

The aunt that this sister is staying with, having her care and custody would be the proper person to make the application for her.

Q Is this the first application you have ever made of any kind? A Yes.

Q Is it now your purpose to make application for identification as a Mississippi Choctaw? A Don't know.

Q Do you claim your rights as a beneficiary under the fourteenth article of the treaty of 1830? A I just heard it.

Q You believe you claim under the fourteenth article of the treaty? A Yes.

Q Have you ever received any benefits as a Choctaw Indian? A No.

Q Have any of your ancestors ever received any benefits as Choctaw Indians? A I think my grandpa get it.

Q What did he get land or money? A Land or money, one.

Q What is the name of your ancestor or ancestors who were residents of the old Choctaw Nation in Mississippi and Alabama and acknowledged members of the Choctaw tribe of Indians in 1830 when the treaty of Dancing Rabbit Creek was entered into between the United States and the Choctaw tribe of Indians? A I don't know.

Q Have you any evidence showing that such ancestors were recognized members of the Choctaw tribe of Indians in 1830? A No.

Q Did any of your ancestors, if Choctaw Indians, remove from the territory occupied by the Choctaw Nation in Mississippi and Alabama to the present Choctaw Nation in the Indian Territory at the time of the removal of the main body of the Choctaws? A I don't know.

Q Did any of your ancestors within six months after the ratification of the treaty of 1830 declare an intention to the United States Indian Agent then living in Mississippi, of remaining in Mississippi, taking land there and becoming citizens of the state of Mississippi? A I heard that some of the Injuns moved off.

Q Do you know whether any of them went to the Indian Agent and told him they wanted to stay here? A Yes.

Q You heard so? A Yes.

Q Have any of your ancestors ever claimed or received any land in Mississippi as beneficiaries under article fourteen of the treaty of 1830? A I don't know.

Q Are there any additional statements you desire to make in support of this application? A No, No, I am tired and want to lay down.

Q Have you any documentary evidence, affidavits, written testimony of any description, copies of records, deeds or patents, or other proper papers showing that your ancestors were recognized members of the Choctaw tribe of Indians in Mississippi in 1830, or that they ever complied or attempted to comply with the provisions of the fourteenth article of the treaty of 1830, or that they ever received any benefits under that article of that treaty? A No.

.)This applicant appears to be a full blood Choctaw Indian, and he is not familiar with the English language, his exam-

Williamson Alex~~p~~ ---3.

ination having been conducted through a sworn interpreter who translated his language into English.

The decision of the Commission as to your application for identification as a Mississippi Choctaw will be determined at the earliest possible date and a report of the same made to the Secretary of the Interior conformable to the provision of the twenty first section of the Act of Congress of June 28, 1898, and a ~~report of the~~ copy of the same will be mailed to you at your post office address as given in your testimony.

H. C. Risteen, having been first duly sworn, upon his oath states: That as stenographer to the Commission to the Five Civilized Tribes he reported in full all proceedings had in the above entitled cause on the 1st day of May, 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes of said proceedings on said date.

H. C. Risteen

Subscribed and sworn to before me at Philadelphia, Mississippi, this 3rd day of May, 1901.

Howell I. Lumm

Justice of the Peace in and
for District No. 1, Neshoba
County, Mississippi.

C. W.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

In the matter of the application of Williamson Alex,
for identification as a Mississippi Choctaw -- M.C.R. 1992

----- D E C I S I O N -----

It appears from the record herein that application for identification as a Mississippi Choctaw was made to this Commission on May 1, 1901, by Williamson Alex for himself, under the following provision of the Act of Congress approved June 28, 1898 (30 Stats. 495):

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto and make report to the Secretary of the Interior."

From the evidence submitted in support of said application it appears that the applicant is a full blood Mississippi Choctaw Indian.


Section forty-one of the Act of Congress entitled "An Act to ratify and confirm an agreement with the Choctaw and Chickasaw

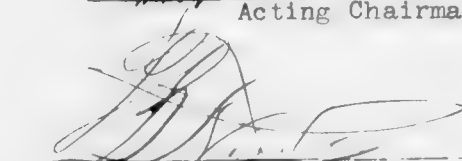
tribes of Indians, and for other purposes" approved July 1, 1902, (32 Stats. 641) and ratified by the Choctaw and Chickasaw Nations September 25, 1902, provides as follows:


"The application of no person for identification as a Mississippi Choctaw shall be received by said Commission after six months subsequent to the date of the final ratification of this agreement and in the disposition of such applications all full blood Mississippi Choctaw Indians and the descendants of any Mississippi Choctaw Indians whether of full or mixed blood who received a patent to land under the said fourteenth article of the said treaty of eighteen hundred and thirty who had not moved to and made bona fide settlement in the Choctaw-Chickasaw country prior to June twenty-eighth, eighteen hundred and ninety-eight, shall be deemed to be Mississippi Choctaws, entitled to benefits under article fourteen of the said treaty of September twenty-seventh, eighteen hundred and thirty, and to identification as such by said Commission, but this direction or provision shall be deemed to be only a rule of evidence and shall not be invoked by or operate to the advantage of any applicant who is not a Mississippi Choctaw of the full blood, or who is not the descendant of a Mississippi Choctaw who received a patent to land under said treaty, or who is otherwise barred from the right of citizenship in the Choctaw Nation, all of said Mississippi Choctaws so enrolled by said Commission shall be upon a separate roll."

It is, therefore, the opinion of this Commission that Williamson Alex should be identified as a Mississippi Choctaw, and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES


Acting Chairman


Commissioner


Commissioner

Muskogee, Indian Territory

FEB 14 1902

COPY.

M.C.R. 1992

Muskogee, Indian Territory, February 21, 1903.

Mansfield, McMurray & Cornish,

Attorneys for the Choctaw and Chickasaw Nations,
South McAlester, Indian Territory.

Gentlemen:-

Enclosed herewith you will find a copy of the decision of the Commission rendered February 14, 1903, identifying Williamson Alex as a Mississippi Choctaw Indian under the provisions of the forty-first section of the act of Congress approved July 1, 1902 (32 Stats. 641).

You are hereby advised that you will be allowed fifteen days from the date hereof, in which to file with this Commission such protest as you desire to make against the action of the Commission in identifying the said Williamson Alex as a Mississippi Choctaw, and make satisfactory proof of service of said protest upon the applicant herein.

If you fail to file such protest within the time allowed, the name of the applicant herein will be placed upon the schedule of duly identified Mississippi Choctaws now being prepared by this Commission.

Respectfully,

Registered
Enclosure G.H. 74

Tamm Davis
Acting Chairman

M.C.R. 1992

COPY.

Muskogee, Indian Territory, March 11, 1903.

Williamson Alex,

Seal, Mississippi.

Dear Sir:

Enclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered February 14, 1903, identifying you as a Mississippi Choctaw Indian under the provisions of Section 41 of the Act of Congress approved July 1, 1902, (32 Stats., 641).

If you remove to the Choctaw-Chickasaw country, Indian Territory, before August 14, 1903, you will have six months from that date, or until February 14, 1904, within which to make proof of such removal and settlement at the office of the Commission at Atoka, Choctaw Nation, or Tishomingo, Chickasaw Nation.

Respectfully,

Tame Dixby.

(Sic)

Chairman.

Registered.

Enc. 1992

FOR IDENTIFICATION
A MISSISSIPPI CHOCTAW

Williamson Aley

1892

1892

COPY OF DECISION FORWARDED
APPLICANT

MAR 11 1903

392.

No 10002

For Identification as a Mississippi Choctaw.

Date MAY 1 1901

Name Williamson Alex.

Age 23 — Blood full —

Post Office, Seal, Miss ^{full blood}

Father: Austin Alex. d

Mother: Celie " full blood

Claims through both parents,

claims for self
alone —

~~Children.~~

Stenographer

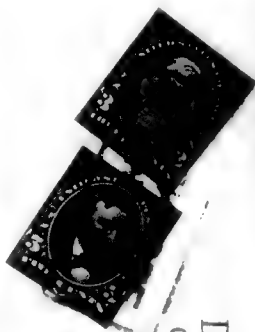
H. C. Risteen

Unclaimed,
 The best information
 can be had is that it has been
 taken to the
 State of Mississippi.

WILLIAMSON ALEX,

Sgt., Mississippi.

Return to the
 State of Mississippi
 1862



Department of the Interior.

Commission to the Five Civilized Tribes,

MUSKOGEE, IND. TER.

OFFICIAL BUSINESS

Penalty for private use, \$300.

4732
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 1111
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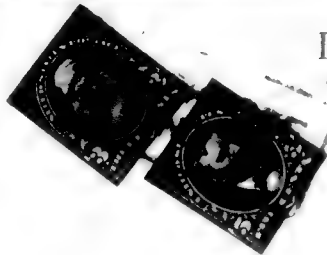
Department of the Interior.

Commission to the Five Civilized Tribes,

MUSKOGEE, IND. TER.

OFFICIAL BUSINESS.

Penalty for private use, \$300.



Williamson Alex,

Seal, Mississippi.

Redstone Common in the ...

4732
5432

*inclined
to ...*

Choctaw MCR 1993

Elizabeth Bob

MCR 1993

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

The record herein is in the matter of the
application of Elizabeth Marris, for identification
as a Mississippi Choctaw,
M.C.R. 1993.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

In the matter of the application of Elizabeth Marris,
for identification as a Mississippi Choctaw, M.C.R. 1993.

I N D E X

	Page
Original application of Elizabeth Bob, et al., to the Dawes Commission for identification as Mississippi Choctaws	1
Copy of the testimony of Bobo Marris given at the time of the making of his application, in which it is shown that he is married to Elizabeth Bob, and that her child Sidney Bob died in July, 1901	4
Decision of the Commission identifying Elizabeth Marris as a Mississippi Choctaw	10

1923

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Philadelphia, Mississippi, May 1, 1901.

In the matter of the application of Elizabeth Bob for the identification of herself and one minor child as Mississippi Choctaws.

Elizabeth Bob, being first duly sworn, upon her oath testified as follows: (Tom Tubbee, official interpreter.)

Examination by the Commission.

- Q What is your name? A Elizabeth Bob.
- Q What is your age? A Thirty six.
- Q What is your post office address A Philadelphia, Mississippi.
- Q How long have you lived in Mississippi? A This year.
- Q Where did you live before you lived in Philadelphia? A Catholic ~~Mississippi~~ Mission.
- Q How far is that from here? A Six miles.
- Q Where were you born? A Neshoba, Mississippi.
- Q Have you always lived in Mississippi? A Yes.
- Q What is your father's name? A Dickson.
- Q Is Dickson dead? A Yes.
- Q Was he a full blood? A Yes.
- Q What is your mother's name? A Nancy Jackson.
- Q Is she living? A Yes.
- Q Full blood? A Yes.
- Q Do you claim to be a full blood? A Yes.
- Q Do you claim Choctaw blood through both parents? A Yes.
- Q Have your parents through whom you claim your right to identification as a Mississippi Choctaw ever been recognized in any manner or enrolled by the Choctaw tribal authorities or by the authorities of the United States as a member of the Choctaw tribe of Indians?
- A I don't know.
- Q Are you married? A No.
- Q Have you been married? A Yes.
- Q What was your husband's name? A John Bob.
- Q Is he living? A Yes, he living.
- Q Are you living with him now? A No.
- Q Has he married again to some other person? A Yes.
- Q Were you married to John Bob by a minister or according to the Choctaw custom? A No, Indian marriage.
- Q Is this child your child by your husband, John Bob? A Yes.
- Q What is this child's name? A Sidney.
- X Q A boy? A Girl.
- Q How old is he? A Over a year old.
- Q You are now living alone and have the custody of this child? A Yes.
- Q Is your child Sidney the daughter of John Bob? A Yes.
- Q Are you the mother A Yes.
- Q Is your name or the name of your child on any of the tribal rolls of the Choctaw Nation in the Indian Territory? A No.
- Q Did you ever make application for yourself and child to the Choctaw tribal authorities in Indian Territory to be enrolled as a member of the Choctaw tribe? A I don't know.
- Q Did you, or did anyone for you, in 1896, make application for yourself and your child to the Dawes Commission in the Indian Territory for citizenship in the Choctaw Nation, under the Act of Congress of June 10, 1896? A I don't know.
- Q Have you ever made application before this time for yourself and child to the Choctaw tribal authorities or to the authorities of the United States to be admitted or enrolled as citizens of the Choctaw
- 1

Elizabeth Bob, et al., #2.

Nation, or has anyone made such an application for you? A Yes.

The records of the Commission show that on January 30, 1899, John Bob the husband of this applicant appeared before the Commission at Philadelphia, Mississippi and made application for the identification of himself, his wife, Isbey Bob, the present applicant, now making application under the name of Elizabeth Bob; his testimony at that time was as follows: " I am 26 years old, and a full blood Choctaw; I have a wife who is a full blood, named Isbey, about 28 years. No children." The names of these persons appear upon Mississippi Choctaw card, field Number 166; also upon page 56 of the Schedule of Mississippi Choctaws, ~~xxx~~ which accompanied the report of March 10, of the Commission to the Five Civilized Tribes to the Secretary of the Interior as to the identity of Choctaw Indians ~~xxx~~ residing in Mississippi, claiming rights in the Choctaw lands under the provisions of the 14th article of the treaty of 1830, being numbers 572 and 573 thereon.

Q Do you now make application for identification as Mississippi Choctaws for yourself and child? A Yes.

Q Do you claim your rights as beneficiaries under the 14th article of the treaty of 1830? A Yes.

Q Have you ever received any benefits in the Indian Territory as a Choctaw Indian? A No.

Q Have your ancestors ever received any benefits? A I don't know.

Q What was the name of your ancestor or ancestors who were residents of the old Choctaw Nation in Mississippi and Alabama and acknowledged members of the Choctaw tribe of Indians in 1830 when the treaty of Dancing Rabbit Creek was entered into between the United States and the Choctaw tribe of Indians? A I don't know.

Q Have you any evidence showing that any of your ancestors were recognized members of the Choctaw tribe of Indians in 1830? A I don't know.

Q Did they remove from the Territory occupied by the Choctaw Nation in Mississippi and Alabama to the present Choctaw Nation in Indian Territory at the time of the removal of the other Indians between the years 1830 and 1838? A I don't know.

Q Did any of your ancestors within six months after the ratification of the treaty of 1830 tell the United States Indian Agent of the Choctaws in Mississippi that they wanted to stay in Mississippi and become citizens of this state? A I don't know.

Q Have any of your ancestors ever claimed or received any land in Mississippi as beneficiaries under the provisions of the 14th article of the treaty of 1830? A ~~xx~~No.

Q Is there any additional statement you desire to make in support of this application? A No.

Q Have you any documentary evidence, affidavits, written testimony of any description, copies of records, deeds or patents, or any other papers showing that your ancestors were ever recognized members of the Choctaw tribe of Indians in Mississippi in 1830, or that they ever complied or attempted to comply with the provisions of the ~~xx~~ 14th article of the treaty of 1830, or that they ever received any benefits under that article of that treaty? A No.

(This applicant appears to be a full blood Choctaw Indian; she does not speak the English language, the examination having been conducted through a sworn interpreter of the Choctaw language, who translated her replies into English.)

Elizabeth Bob, et al., #3.

The decision of the Commission as to the application you make for the identification of yourself and your child as Mississippi Choctaws, will be determined at the earliest possible date, and a report of the same made to the Secretary of the Interior conformable to the provisions of the Twenty First Section of the Act of Congress of June 28, 1898, and a copy of the same will be mailed to you at your post office address as given in your testimony.

R.S. Streit, being first duly sworn, upon his oath states that as stenographer to the Commission to the Five Civilized Tribes, he reported in full the proceedings in the above entitled cause on the 1st day of May, 1901, and that the above and foregoing is a full, true and correct translation of his stenographic notes of said proceedings on said date.

R.S. Streit
Subscribed and sworn to before me at Philadelphia, Mississippi, this 1st day of May, 1901.

Howell J. Quinn
Justice of the Peace
Notary Public.

Bobo Marris, et al., 2.

Q When did they separate? A I don't know when they been separated.
Q Was she living with him three years ago? A I expect so.
Q Did she ever have any children by him? A Yes, sir.
Q How many? A One.
Q Do you know what it's name was? A No, sir.
Q Did you ever hear that it was Sidney? A I just heard you say it was the first I ever heard it.

The records of the Commission show that on the first day of May, 1901, Elizabeth Bob appeared before the Commission at Philadelphia, Mississippi, and made application for the identification of herself and minor child, Sidney, as Mississippi Choctaws, their names appearing upon Mississippi Choctaw Card, Field Number R-1993.

Q Is this child of your wife living now? A No, sir, been dead.
Q When did it die? A It died last July.
Q How many days in July? A I don't know how many days.
Q Your wife has no children living now, then? A No, sir.
Q Were you ever married before you married Elizabeth? A Yes, sir.
Q How many times? A One time.
Q What was your first wife's name? A Margaret.
Q Ever have any children by Margaret? A Yes, sir, two.
Q Are they both living? A No, sir, one dead.
Q What's the name of the one that's dead? A Ike.
Q What's the name of the one that's living? A Otis.
Q How old is he? A Three years old; he was born the 4th of March, 1899.
Q He is the son of yourself and Margaret? A Yes, sir.
Q Was Margaret a full blood Choctaw? A Yes, sir.
Q Did she always live in Mississippi? A Yes, sir.
Q What was her father's name? A Farbus Frazier.
Q Is he dead? A Yes, sir.
Q What is Margaret's mother's name? A Mary Frazier.
Q Is she living at this time? A Yes, sir.
Q Mary and Farbus both full bloods? A Yes, sir.
Q Is Otis living with you now? A Yes.
Q This application, then, is for yourself and one child, Otis?
A Yes.
Q Is your name on any of the Choctaw tribal rolls in Indian Territory? A Not that I know of.
Q Has any application of any kind ever been made before today for you or this child? A Three years ago at Philadelphia.

The records of the Commission show that on the 31st day of January, 1899, application was made to the Commission at Philadelphia, Mississippi, for the identification of this applicant, Bobo Marris, wife, Margaret, and minor son, Ike, as Mississippi Choctaws, their names appearing upon Mississippi Choctaw Card, Field Number 220; also, upon page 64 of the Schedule which accompanied the report of March 10, 1899, of the Commission to the five Civilized Tribes to the Secretary of the Interior as to the identity of Choctaw Indians, residing in Mississippi, claiming rights

Bobo Marris, et al., 3.

in the Choctaw lands in Indian Territory under the Fourteenth Article of the Treaty of Dancing Rabbit Creek, being Numbers 766, 777 and 788, respectively, thereon.

Q This application made three years ago the only application of any kind you have ever made for the purpose of establishing your rights as a Choctaw Indian? A Yes, sir.

Q When did Margaret die? A Christmas Day, 1900.

Q When did Ike die? A July, 1900.

Q Do you appear before the Commission at this time for the purpose of claiming rights in the Choctaw lands in Indian Territory for yourself and one minor child, under article 14 of the treaty of Dancing Rabbit Creek? A Yes.

Q Do you understand that 14th article? A No.

The treaty of Dancing Rabbit Creek was entered into here in Mississippi on the 27th day of September, 1830, over seventy one years ago, between the United States Government and the Choctaw tribe of Indians. At the time this treaty was made, the Choctaws lived here in Mississippi and along the western edge of the State of Alabama. The object of the treaty was to get these Indians to move from this country out west of the Mississippi River to a new country, a part of which is now occupied by the Greater portion of the Choctaw tribe of Indians, and is commonly known as the Choctaw Nation, Indian Territory. At the time the treaty was made, some of the Indians were unwilling to leave this country, and for the benefit of those who wanted to stay here what is known as the 14th article was put in the treaty. That 14th article provided that upon certain conditions, a Choctaw who wanted to stay here in Mississippi and become a citizen of the States, might receive land here in Mississippi from the Government. It is as follows:

"Each Choctaw head of a family being desirous to remain and become a citizen of the States shall be permitted to do so by signifying his intention to the agent within six months from the ratification of this treaty, and he or she shall thereupon be entitled to a reservation of one section of six hundred and forty acres of land, to be bounded by sectional lines of survey; in like manner shall be entitled to one-half that quantity for each unmarried child which is living with him over ten years of age; and a quarter section to such child as may be under ten years of age, to adjoin the location of the parent. If they reside upon said land intending to become citizens of the States for five years after the ratification of this treaty, in that case a grant in fee simple shall issue; said reservation shall include the present improvement of the head of the family, or a portion of it. Persons who claim under this article shall not lose the privilege of a Choctaw citizen, but if they ever remove are not to be entitled to any portion of the Choctaw annuity."

Bobo Morris, et al., 4.

Q Do you understand that 14th article now? A Yes, sir.

Q Did any of your ancestors, or any of the ancestors of your first wife, Margaret, ever comply or attempt to comply with the provisions of that 14th article of ever receive any benefits thereunder? A I don't know.

Q Did any of them own an improvement here in the old Choctaw Nation, in Mississippi and Alabama, in the year 1830, when this treaty was made? A I don't know if they did.

Q Did any of them live here at that time? A I don't know.

Q Did any of them ever remove to the present Choctaw Nation, in Indian Territory, at the time of the removal of the greater portion of the Choctaw tribe of Indians between the years 1833 and 1838?

A I don't know.

Q Did any of them, within six months after the treaty of Dancing Rabbit Creek was ratified, let the agent of the Government here in Mississippi for the Choctaws know that they wanted to stay here in Mississippi and become citizens of the States and take land? A I don't know; never heard.

Q Did any of them ever get any land from the Government of the United States here in Mississippi under the provisions of the 14th article of the treaty of Dancing Rabbit Creek? A I don't know it, if they did.

In accordance with the provisions of the 14th article of the treaty of Dancing Rabbit Creek, the Government of the United States directed an agent here in Mississippi to register the names of such Choctaws as might desire to remain here and become citizens of the States and take land; the records of the Government show that this agent failed to register and report to the Government the names of many Indians, who did, in fact, let him know that they wanted to stay here and become citizens and take land, and on this account the Government, at its public land sales here in Mississippi, in many instances, sold land upon which Choctaws lived and had improvements, and which they supposed they would receive under the 14th article of the treaty. This caused a great deal of complaint among the Indians, and the matter was finally brought to the attention of Congress, and Congress passed certain Acts between the years 1837 and 1842, providing for the appointment of commissioners to come down here to Mississippi and hear the cases of Choctaws who claimed that they had complied in all respects with the provisions of the 14th article of the treaty of Dancing Rabbit Creek, but that their land had been sold by the Government. These commissioners were duly appointed by the President of the United States and they came down here to Mississippi between the years 1837 and 1845, and heard a great many of these Choctaw cases.

Q Did any of your ancestors, or any of the ancestors of your first wife, ever comply - appear before any of these commissioners and attempt to establish their rights under the 14th article of the treaty of Dancing Rabbit Creek? A I don't know.

Bobo Marris, et al., 5.

An Act of Congress approved on the 23rd day of August, 1842, provided that in case it should be finally determined that a Choctaw had complied in all respects with the provisions of the 14th article of the treaty of Dancing Rabbit Creek, but that his land had been sold by the Government, he should be entitled to select in the place of the land so sold by the Government, land some place else here in Mississippi, or in Alabama, Louisiana, or Arkansas, from vacant Government land, and should be given a certificate to that effect. These certificates were called scrip.

Q Did any of your ancestors, or any of the ancestors of your first wife, ever get any of this scrip from the Government of the United States under this Act of Congress? A Never did hear it if they did.

Q Did you ever see or hear of any deed or patent issued to any of your ancestors, or any of the ancestors of your first wife, covering land here in Mississippi received from the Government? A No, sir.

Q Do you know of any old person living who would likely know whether any of your ancestors, or any of the ancestors of your first wife, ever complied or attempted to comply with the provisions of the 14th article of the treaty of Dancing Rabbit Creek, or ever received any benefits thereunder? A No, don't know of any.

Q Do you know of any written evidence which would prove or tend to prove such a state of facts? A No, sir.

Q Have you any written evidence to offer at this time? A No, sir.

Q Have you any witnesses here at this time? A No, sir.

If you should find any witnesses whose testimony you desire to have taken by the Commission in support of your application, they may appear before the Commission at any of its appointments here in Mississippi this spring, including the one at Meridian, Mississippi, April 14th to 30th next, or within a reasonable time at the general office of the Commission, in Muskogee, Indian Territory, and their testimony will be taken.

Q Any further statements you want to make? A No, sir.

Q How many brothers have you living? A Six, Jim, Sanderson, Tom, Marris, Steve and Wench.

Q Have you any sisters living? A Yes, sir.

Q How many? A Four. One is Susan Bull, the wife of Asa Elmon Bull.

Q Next one? A Nancy.

Q Is she married? A No, sir.

Q Next one? A Missie.

Q Is she married? A No, sir.

Q Next one? A Matt.

Q Is she married? A No, sir.

Q Is that all? A That's all.

Q Has your father any brothers living? A Yes, sir.

Q How many? A One.

Q What's his name? A Watson Marris.

Q Are any of your first wife's brothers living? A Yes, sir.

Bobo Harris, et al., S.

- Q How many? A Four, Seale, Wesley, Henson and Rachel Praxier.
Q Any of her sisters living? A Yes, sir, three.
Q What are their names? A One named Minerva Harris, the wife of Jim Harris, who is my brother.
Q Next one? A Ann Amos, the wife of Lamkin Amos.
Q Next one? A Susanna Bell, wife of Johnson Bell.

(This applicant has the appearance of being possessed of fully as much Indian blood as is claimed by him. He speaks and understands the Choctaw language and also speaks and understands English fairly well, the examination having been conducted partially in English and partially through a sworn Choctaw interpreter.)

R. S. Streit, having been first duly sworn, upon his oath states that as stenographer to the commission to the Five Civilized Tribes, he reported in full all proceedings had in the above entitled cause on the 25th day of March, 1902, at Seale, Mississippi, and that the above and foregoing is a full, true and correct translation of his stenographic notes of said proceedings in said cause upon said date.

Subscribed and sworn to before me at Seale, Mississippi, this 5th day of April, 1902.

L. B. Mosley
Clerk U.S. Circuit Court,
Southern District of Mississippi,

by *[Signature]*

deputy.

C.S.W.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

In the matter of the application of Elizabeth Marris,
for identification as a Mississippi Choctaw, M.C.R. 1993.

-----D E C I S I O N -----

It appears from the record herein that application for identification as Mississippi Choctaws was made to this Commission on May 1, 1901, by Elizabeth Bob for herself and her minor child, Sidney Bob, under the following provision of the Act of Congress approved June 28, 1898 (30 Stats. 495):

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September, twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto and make report to the Secretary of the Interior."

It further appears from the record herein that since the date of the above application, the applicant Elizabeth Bob was married to Bobo Marris, whose application is numbered M.C.R. 5082.

It also appears that the applicant Sidney Bob died in July, 1901.

From the evidence submitted in support of said application

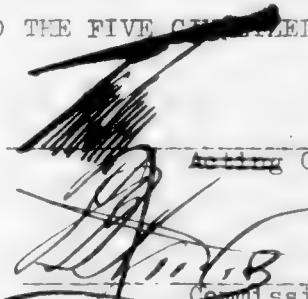
it appears that the applicant Elizabeth Marris, is a full blood Mississippi Choctaw Indian.

Section forty-one of the Act of Congress entitled "An Act to ratify and confirm an agreement with the Choctaw and Chickasaw tribes of Indians, and for other purposes" approved July 1, 1902, (32 Stats. 641) and ratified by the Choctaw and Chickasaw Nations September 25, 1902, provides as follows:

"The application of no person for identification as a Mississippi Choctaw shall be received by said Commission after six months subsequent to the date of the final ratification of this agreement and in the disposition of such applications all full blood Mississippi Choctaw Indians and the descendants of any Mississippi Choctaw Indians whether of full or mixed blood who received a patent to land under the said fourteenth article of the said treaty of eighteen hundred and thirty who had not moved to and made bona fide settlement in the Choctaw-Chickasaw country prior to June twenty-eighth, eighteen hundred and ninety-eight, shall be deemed to be Mississippi Choctaws, entitled to benefits under article fourteen of the said treaty of September twenty-seventh, eighteen hundred and thirty, and to identification as such by said Commission, but this direction or provision shall be deemed to be only a rule of evidence and shall not be invoked by or operate to the advantage of any applicant who is not a Mississippi Choctaw of the full blood, or who is not the descendant of a Mississippi Choctaw who received a patent to land under said treaty, or who is otherwise barred from the right of citizenship in the Choctaw Nation, all of said Mississippi Choctaws so enrolled by said Commission shall be upon a separate roll."

It is, therefore, the opinion of this Commission that Elizabeth Marris should be identified as a Mississippi Choctaw, and it is so ordered.

COMMISSION TO THE FIVE CHEROKEE TRIBES


Acting Chairman


Commissioner


Commissioner

Muskogee, Indian Territory

APR 14 1903 APR 27 1903

COMMISSIONERS

HENRY L. DAWES.
TAMM BIXBY.
THOMAS B. NEEDLES.
C. R. BRECKINRIDGE.

ALLISON L. AYLESWORTH.
SECRETARY

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

REFER IN REPLY TO THE FOLLOWING

M.C.R. 1993

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, January 7, 1903.

William O. Beall,

Clerk in Charge Choctaw- Chickasaw Enrollment Division,

Dear Sir:-

There has been transmitted to the Mississippi Choctaw Legal Department, application numbered M.C.R. 1993, being that of Elizabeth Bob, e t al., with instructions to prepare a decision in same.

The record herein shows that Elizabeth Bob a full blood Choctaw, applied for the identification of herself and her minor child, Sidney Bob, who she stated was a girl, but she failed to testify in regard to the Choctaw blood of the father of her said child, whose name she gives as John Bob.

The Field Card in this application shows Sidney Bob to be the son of Elizabeth Bob and also shows said child to be dead at this time, though there is no evidence which would authorize that statement, at least it has not been transmitted to the Legal Department in connection with this application.

The record, together with the card in this application, is herewith returned to the files for such action as may be deemed proper.

Respectfully,

Chas. W. W. W. W.

*See Motion
on Case*

M.C.P. 1993.

COPY.

Muskogee, Indian Territory, April 27, 1903.

Mansfield, McMurray & Cornish,
Attorneys for the Choctaw and Chickasaw Nations,
South McAlester, Indian Territory.

Gentlemen:

Enclosed herewith you will find a copy of the decision of the Commission rendered April 27, 1903, identifying Elizabeth Harris as a Mississippi Choctaw Indian under the provisions of the forty-first section of the act of Congress approved July 1, 1902 (32 Stats. 641).

You are hereby advised that you will be allowed fifteen days from the date hereof in which to file with this Commission such protest as you desire to make against the action of the Commission in identifying the said Elizabeth Harris as a Mississippi Choctaw, and make satisfactory proof of service of said protest upon the applicant herein.

If you fail to file such protest within the time allowed, the name of the applicant herein will be placed upon the schedule of duly identified Mississippi Choctaws now being prepared by this Commission.

Respectfully,

(Signed)

Tams Dixby

Chairman.

Registered.
Enclosure 1993.

COPY?

M.C.R. 1993.

Muskogee, Indian Territory, May 5, 1903.

Elizabeth Harris,
Philadelphia, Mississippi.

Dear Madam:

Enclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered April 27, 1903, identifying you as a Mississippi Choctaw Indian under the provisions of Section 41 of the Act of Congress approved July 1, 1902, (32 Stats., 641).

If you remove to the Choctaw-Chickasaw country, Indian Territory, before October 27, 1903, you will have six months from that date, or until April 27, 1904, within which to make proof of such removal and settlement at the office of the Commission at Atoka, Choctaw Nation, or Tishomingo, Chickasaw Nation.

Respectfully,

Tam. Diney
(Chairman.)

Registered.

Enc. 1993.

M C R 5082

M C R 1993

Muskogee, Indian Territory, November 9, 1903.

Bobo Marris,

Stigler, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 2nd instant, in which you state that some time ago you received a letter from this Commission in which it referred to your minor child, Otis Marris, as your son, but that said child is a girl and you wish to have her appear upon the records of the Commission as such. You further state that you have married Elizabeth Dickson and ask if she can be identified as Elizabeth Marris.

In reply you are informed that your request to have the name of your child, Otis Marris, appear upon our records as a female instead of a male has been complied with.

You are further advised that on April 27, 1903, the Commission rendered its decision identifying Elizabeth Marris as a Mississippi Choctaw, a copy of said decision being mailed to her at Philadelphia, Mississippi, her last known post office address. Said decision was returned to this office marked "unclaimed", and is this day remailed to Stigler, Indian Territory.

Respectfully,

Commissioner in Charge.

M C R 1993
5082

Muskogee, Indian Territory, April 22, 1905.

Bobo Marris,

Stigler, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of the application for enrollment as a citizen of the Choctaw Nation of Otter Morris, infant son of Bobo and Elisabeth Morris, born June 30, 1902.

Respectfully,

Chairman.

For Identification as a Mississippi Choctaw.

Date MAY 1901

Name Elizabeth Bob.

Age 36 Blood full.

Post Office, Philadelphia, Miss.

Father: Vickson, ^{full blood} dMother: Nancy Jackson ^{full blood} l

Claims through both parents.

Not married - John
 Bob was her husband,
 and they separated.

Children.

Sidney - 14 year

daughter of Elizabeth
 Bob and John Bob.

See McCasid filed No. 166.

Claims for self and
 child

Stenographer K. N. Strick

Elizabeth B. B. et al.

IDENTIFIED

DECISION RENDERED

APR 27 1903

COPY OF DECISION

FOR OFFICE

WICKASAW

APR 27 1903

COPY OF DECISION

MAY 1903

Choctaw MCR 1994

Winston Polk

MCR 1994

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

The within record is in the matter of
the application of Winston Polk for identification
as a Mississippi Choctaw,
M.C.R. 1994

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

In the matter of the application of Winston Polk for
identification as a Mississippi Choctaw, M.C.R. 1994.

I N D E X

	Page
Original application of Winston Polk to the Dawes Commission for identification as a Mississippi Choctaw	1
Decision of the Commission identifying Winston Polk as a Mississippi Choctaw	4

1294

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES?
Philadelphia, Mississippi, May 1st, 1901.

In the matter of the application of Winston Polk for identification as a Mississippi Choctaw.

Winston Polk, being first duly sworn, upon his oath testified as follows: (Tom Tubbee, official interpreter.)

Examination by the Commission.

- Q What is your name? A Winston Polk
Q What is your age? A Thirty one.
Q What is your post office address? A Tucker.
Q How long have you lived in Tucker? A About sixteen or seventeen years.
Q Where did you live before you lived at Tucker? A Leak County, Mississippi.
Q Have you always lived in Mississippi? A Yes sir.
Q Where were you born? A I don't know.
Q Were you born in Newton County? A Yes.
Q You never lived in any other state; you always lived in Mississippi? A Yes.
Q What is your father's name? A Jim Polk.
Q Is he living? A No sir, he died.
Q Full blood? A Full blood.
Q What is your mother's name? A Mary.
Q Living? A No, she died.
Q Full blood? A Full blood.
Q You claim to be a full blood? A Yes.
Q Have your parents, through whom you claim your right to identification as a Mississippi Choctaw, ever been recognized in any manner or enrolled as a member of the Choctaw tribe of Indians by the Choctaw tribal authorities or by the authorities of the United States?
A No sir.
Q Have you any children? A No sir.
Q Your wife is dead? A Yes.
Q What was her name? A Sallie Polk.
Q She died when? A April, 1900.
Q Where did she die? A At Tucker.
Q Is your name on any of the tribal rolls of the Choctaw Nation in Indian Territory? A No sir.
Q Have you ever made application to the Choctaw tribal authorities in the Indian Territory to be enrolled as a member of the Choctaw tribe? A No sir.
Q Did you, or did anyone for you, in 1896, make application to the Commission to the Five Civilized Tribes for citizenship in the Choctaw Nation in Indian Territory under the Act of Congress of June 10, 1896? A No.
Q Have you ever been admitted to citizenship in the Choctaw Nation by either the Choctaw tribal authorities, the Commission to the Five Civilized Tribes, or by the United States Court in Indian Territory. A No.
Q Have you ever made application before this time to either the Choctaw tribal authorities or to the authorities of the United States to be admitted or enrolled as a citizen of the Choctaw Nation? A Yes

The records of the Commission show that on January 30, 1899, this applicant appeared before the Commission at Philadelphia, Mississippi and made application for the identification of himself and his wife, Sallie Polk, now deceased, as

Winston Polk, #2.

and an orphan child named Martina Simpson, as Mississippi Choctaws; his testimony at that time was as follows: "I am 29 years old and a full blood Choctaw; my wife is a full blood Choctaw named Sallie, ages 28 years; we have no children of our own, but we have an orphan child named Martina Simpson, 6 years old."

These names of these persons appear upon Mississippi Choctaw card, Field Number 151; their names also appear upon page 54 of the Schedule of Mississippi Choctaws which accompanied by the report of March 10, 1899, of the Commission to the Five Civilized Tribes to the Secretary of the Interior, as to the identity of Choctaw Indians residing in Mississippi, claiming rights in the Choctaw lands under the provisions of the Fourteenth article of the Treaty of 1830 between the United States and the Choctaw Indians, being numbers 522, 523 and 524, respectively thereon.

Q What was your wife's name? A Sallie Polk.

Q Is she dead? A She dead.

Q Except the application that you made two years ago, is this the first application you have ever made of any kind? A Yes.

Q You now make application for identification as a Mississippi Choctaw? A Yes.

Q Do you claim your right as a beneficiary under the article fourteen of the treaty of 1830? A Yes.

Q Have you ever received any benefits as a Choctaw Indian? A No.

Q Have your ancestors ever received any benefits as Choctaw Indians? A No.

Q What was the name of your ancestor, or ancestors, who were residents of the old Choctaw Nation in Mississippi and Alabama, and acknowledged members of the Choctaw tribe of Indians in 1830, when the treaty of Dancing Rabbit Creek was entered into between the United States and the Choctaw Indians? A I don't know.

Q Have you any evidence showing that such ancestors were recognized members of the Choctaw tribe of Indians in 1830? A No sir.

Q Did these ancestors, if Choctaw Indians, remove from the territory occupied by the Choctaw Nation in Mississippi and Alabama, to the present Choctaw Nation, in Indian Territory, at the time of the removal of the other members of the Choctaw tribe of Indians from 1830 to 1838? A No sir.

Q If they did not remove with the other members of the tribe, of Indians, did they within six months after the ratification of the treaty of 1830 tell the United States Indian Agent of the Choctaw Indians in Mississippi that they intended to stay in Mississippi and become citizens of the United States? A I don't know.

Q Did any of them ever receive any land or claim any land in Mississippi under article fourteen of the treaty of 1830? A No.

Q Is there any additional statement you want to make in support of this application? A No sir.

Q Have you any documentary evidence affidavits, written testimony of any kind, copies of records, deeds or patents, or any other proper papers showing that your ancestors were recognized members of the Choctaw tribe of Indians in 1830, or that they ever complied or attempted to comply with the provisions of the 14th article of the treaty of 1830, or that they ever received any benefits under that article of that treaty? A No.

(The applicant appears to be a full blood Choctaw Indian; he does not speak English, the testimony given by him being interpreted through a sworn interpreter of the Choctaw language.)

Winston Polk, #3.

t The decision of the Commission as to your application for identification as a Mississippi Choctaw will be determined at the earliest possible date, and a report of the same made to the Secretary of the Interior, conformable to the provisions of the Twenty First section of the Act of Congress of June 28, 1898, and a copy of the same will be mailed to you at your post office address as given in your testimony.

R.S. Streit, being first duly sworn, upon his oath states that as stenographer to the Commission to the Five Civilized Tribes, he reported in full the proceedings had in the above entitled cause on May 1st, 1901, and that the above and foregoing is a full, true and correct translation of his stenographic notes of said proceedings on said date.

R.S. Streit
Subscribed and sworn to before me at Philadelphia, Mississippi, this 2nd day of April, 1901.

Howell I Quinn
Justice of the Peace for the
First District.

C.W.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

In the matter of the application of Winston Polk, for
identification as a Mississippi Choctaw- -----M.C.R. 1994.

-----D E C I S I O N -----

It appears from the record herein that application for
identification as a Mississippi Choctaw was made to this Commission
on May 1, 1901, by Winston Polk for himself, under the following
provision of the Act of Congress approved June 28, 1898 (30 Stats.
495):

"Said Commission shall have authority to determine the
identity of Choctaw Indians claiming rights in the Choctaw
lands under article fourteen of the treaty between the United
States and the Choctaw Nation, concluded September twenty-
seventh, eighteen hundred and thirty, and to that end may
administer oaths, examine witnesses and perform all other
acts necessary thereto and make report to the Secretary of
the Interior."

From the evidence submitted in support of said application
it appears that the applicant is a full blood Mississippi Choctaw
Indian.


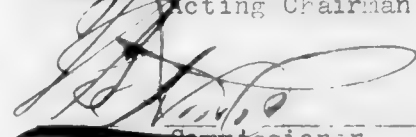
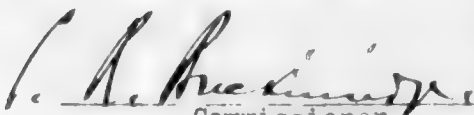
Section forty-one of the Act of Congress entitled "An Act
to ratify and confirm an agreement with the Choctaw and Chickasaw

tribes of Indians, and for other purposes", approved July 1, 1902, (32 Stats. 641) and ratified by the Choctaw and Chickasaw Nations September 25, 1902, provides as follows:

"The application of no person for identification as a Mississippi Choctaw shall be received by said Commission after six months subsequent to the date of the final ratification of this agreement and in the disposition of such applications all full blood Mississippi Choctaw Indians and the descendants of any Mississippi Choctaw Indians whether of full or mixed blood who received a patent to land under the said fourteenth article of the said treaty of eighteen hundred and thirty who had not moved to and made bona fide settlement in the Choctaw-Chickasaw country prior to June twenty-eighth, eighteen hundred and ninety-eight, shall be deemed to be Mississippi Choctaws entitled to benefits under article fourteen of the said treaty of September twenty-seventh, eighteen hundred and thirty, and to identification as such by said Commission, but this direction or provision shall be deemed to be only a rule of evidence and shall not be invoked by or operate to the advantage of any applicant who is not a Mississippi Choctaw of the full blood, or who is not the descendant of a Mississippi Choctaw who received a patent to land under said treaty, or who is otherwise barred from the right of citizenship in the Choctaw Nation, all of said Mississippi Choctaws so enrolled by said Commission shall be upon a separate roll."

It is, therefore, the opinion of this Commission that Winston Polk should be identified as a Mississippi Choctaw, and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES


Acting Chairman

Commissioner

Commissioner

Muskogee, Indian Territory

FEB. 14 1903

M C R 1994

Muskogee, Indian Territory, February 21, 1903.

Mansfield, McMurray & Cornish,

Attorneys for the Choctaw and Chickasaw Nations.

South McAlester, Indian Territory.

Gentlemen:

Enclosed herewith you will find a copy of the decision of the Commission rendered February 14, 1903, identifying Winston Polk as a Mississippi Choctaw Indian under the provisions of the forty-first section of the act of Congress approved July 1, 1902 (32 Stats., 641).

You are hereby advised that you will be allowed fifteen days from the date hereof, in which to file with this Commission such protest as you desire to make against the action of the Commission in identifying the said Winston Polk as a Mississippi Choctaw, and make satisfactory proof of service of said protest upon the applicant herein.

If you fail to file such protest within the time allowed, the name of the applicant herein will be placed upon the schedule of duly identified Mississippi Choctaws now being prepared by this Commission.

Respectfully,

(SIGNED)

Register,
Enc. M C R 1994

Chairman.

COPY.

M.C.R. 1994.

Muskogee, Indian Territory, March 11, 1903.

Winston Polk,

Tucker, Mississippi.

Dear Sir:

Enclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered February 14, 1903, identifying yourself, as a Mississippi Choctaw Indian under the provisions of section 41 of the act of Congress approved July 1, 1902, (32 Stats. 641).

If you remove to the Choctaw-Chickasaw country, Indian Territory, before August 14, 1903, you will have six months from that date, or until February 14, 1904, within which to make proof of such removal and settlement at the office of the Commission at Atoka, Choctaw Nation, or Tishomingo, Chickasaw Nation.

Respectfully,

Tamoc Dwyer.

(SIGNED)

Registered

Chairman.

Enclosure 1994.

MISSISSIPPI
Winston Polk

IDENTIFIED

COPY OF DECISION FORWARDED
APPLICANT

MAR 11 1903

394.

No. 1094

For Identification as a Mississippi Choctaw.

Date 11.11.1911

Name Winston Polk

Age 31 Blood full.

Post Office, Tucker, Miss.

Father: Jim Polk, full blood d

Mother: Mary Polk " " d

Claims through both parents.

wife

Sallie Polk - d.

See Miss Choctaw Fred No. 151

~~Children.~~

appears for self
alone.

Stenographer R. D. Strick -

Choctaw MCR 1995

Jim Jack

MCR 1995

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

In the matter of the application of Jim Jack,
et al., for identification as Mississippi Choctaws,
M.C.R. 1995.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

In the matter of the application of Jim Jack, et al.,
for identification as Mississippi Choctaws, M.C.R. 1995.

I N D E X

	Page
Original application of Jim Jack, et al., to the Dawes Commission for identification as Mississippi Choctaws	1
Decision of the Commission identifying Jim Jack et al., as Mississippi Choctaws	4

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Philadelphia, Mississippi, May 2, 1901.

In the matter of the application of Jim Jack for the identification of himself and his wife as Mississippi Choctaws.

Jim Jack, having been first duly sworn, upon his oath testifies as follows, through Tom Tubbee, official interpreter:

Examination by the Commission.

- Q What is your name? A Jim Jack.
Q What is your age? A Twenty four.
Q What is your post office address? A Tucker, Mississippi.
Q How long have you lived in Mississippi? A All my life.
Q And how long in Tucker? A About thirteen years.
Q You never lived in any other state? A No.
Q What is your father's name? A Billy Jack.
Q Is he a full blood Choctaw? A Yes.
Q Is he living? A Yes?
Q What is your mother's name? A Leanna.
Q Full blood? A Yes.
Q Living? A Yes.
Q Are you a full blood? A Yes.
Q You claim through both parents? A Yes.
Q Have your parents through whom you claim your right to identification as a Mississippi Choctaw ever been recognized in any manner or enrolled as members of the Choctaw tribe of Indians by the Choctaw tribal authorities or by the United States authorities? A No.
Q Are you married? A Yes.
Q What is your wife's name? A Liza.
Q Full blood? A Yes.
Q What is her age? A 26.
Q What is her mother's name? A Amy Pistubbee.
Q Is she dead? A No.
Q What is your wife's father's name? A Pistubbee.
Q Any given name? A Don't know.
Q Is he living? A No, dead.
Q They were both full bloods? A Yes.
Q Have your wife's parents ever been recognized in any manner or enrolled as members of the Choctaw tribe of Indians either by the Choctaw tribal authorities or by the authorities of the United States? A No.
Q Have you any children? A No.
Q You make application just for yourself and wife? A Yes.
Q Is your name or your wife's name on any of the tribal rolls of the Choctaw Nation in the Indian Territory? A No.
Q Have you ever made application to the Choctaw tribal authorities for yourself or your wife to be enrolled as members of that tribe? A No.
Q Did you or any one for you in 1896 make application to the Commission to the Five Civilized Tribes for citizenship in the Choctaw Nation? A Yes.

1

The records of the Commission show that in the year 1896, ~~this~~ Billy Jack, father of this applicant, made application to the Commission to the Five Civilized Tribes for citizenship in the Choctaw Nation for himself, his wife, Leanna, and children, Jim, Minnie, Nettie and Cornelius, under the act of Congress of June 10, 1896, their names being included in the case of Jack Amos et al vs. the Choctaw Nation. This application was filed with the Commission on September 10, 1896; on December 7, 1896, the

Jim Jack---2.

application was denied by the Commission. From this decision of the Commission, an appeal was taken to the United States Court for the Central District of the Indian Territory, which Court on August 25, 1897, affirmed the decision of the Commission denying the application. Appeal was then taken by the ~~Jim-~~
~~xxxxx~~ petitioners to the Supreme Court of the United States, where the decision of the lower Court was affirmed.

Q Have you ever been admitted to citizenship in the Choctaw Nation by either the Choctaw tribal authorities, the Commission to the Five Civilized Tribes or the United States Court in the Indian Territory?
A No.

Q Have you ever made application before this time to either the Choctaw tribal authorities or to the United States authorities to be admitted or enrolled as a citizen of the Choctaw Nation? A Yes, application was made for me in 1896 and two years ago.

The records of the Commission show that on January 30, 1899, this applicant appeared before the Commission at Philadelphia, Mississippi, and there made application for the identification of himself and his wife Eliza as Mississippi Choctaws, their names appearing upon Mississippi Choctaw Card Field No. 145, and upon page 53 of the schedule which accompanied the report of March 10, 1899, of the Commission to the Five Civilized Tribes to the Secretary of the Interior, as to the identity of Choctaw Indians residing in Mississippi claiming rights in the Choctaw lands under the provisions of the fourteenth article of the treaty of 1830, being Nos. 505 and 506 respectively thereon.

Q Is it now your purpose to make application for identification as Mississippi Choctaws for yourself and wife? A Yes.

Q Do you claim your rights as beneficiaries under the provisions of the fourteenth article of the treaty of 1830? A Yes.

Q Have you ever received any benefits as a Choctaw Indian? A No.

Q Have any of your ancestors ever received any benefits as Choctaw Indians? A No.

Q Can you give the name of your ancestor who lived in Mississippi or Alabama in 1830? A No.

Q Have you any evidence showing that such ancestor was a recognized member of the Choctaw tribe of Indians at that time? A No.

Q Did your ancestor or ancestors remove from the territory occupied by the Choctaw Nation in Mississippi and Alabama to the present Choctaw Nation in the Indian Territory at the time of the removal of the other members of the Choctaw tribe of Indians between the years 1833 and 1838? A No.

Q Did any of your ancestors within six months after the ratification of the treaty of 1830 signify to the United States Indian Agent for the Choctaw Indians in Mississippi their intention to remain in Mississippi and become citizens of the states? A Don't know.

Q Have any of your ancestors ever claimed or received any land in Mississippi under article fourteen of the treaty of 1830? A Don't know.

Q Are there any additional statements you desire to make in support of this application? A No.

Q Have you any documentary evidence, affidavits, written testimony of any description, copies of records, deeds or patents, or any other proper papers, showing that any of your ancestors were recognized members of the Choctaw tribe of Indians in 1830 when the treaty of Dancing Rabbit Creek was entered into between the United States and the Choctaw Indians, or that any of them ever complied or attempted

Jim Jack----3.

to comply with the provisions of the fourteenth article of the treaty of 1830, or ever received any benefits under that article of that treaty? A No.

This applicant appears to be a full blood Choctaw Indian. He does not speak the English language, his testimony having been given through a sworn interpreter.

The decision of the Commission as to the application made by you at this time for the identification of yourself and wife as Mississippi Choctaws will be determined at the earliest possible date and a report of the same made to the Secretary of the Interior conformable to the provisions of the twenty first section of the act of Congress of June 28, 1898, and a copy of the same will be mailed to you at your post office address as given in your testimony.

H.C. Risteen, having been first duly sworn, upon his oath states: That as stenographer to the Commission to the Five Civilized Tribes he reported in full all proceedings had in the above entitled cause on the 2nd day of May, 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes of said proceedings on said date.

H.C. Risteen

Subscribed and sworn to before me at Meridian, Mississippi, this 13th day of May, 1901.

[Signature]
Notary Public.

C.W.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

In the matter of the application of Jim Jack, et al.,
for identification as Mississippi Choctaws-----M.C.R. 1995 .

-----D E C I S I O N -----

It appears from the record herein that application for identification as Mississippi Choctaws was made to this Commission on May 2, 1901, by Jim Jack for himself and his wife Liza Jack, under the following provision of the Act of Congress approved June 28, 1898 (30 Stats. 495):

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto and make report to the Secretary of the Interior."

From the evidence submitted in support of said application it appears that both the applicants are full blood Mississippi Choctaw Indians.

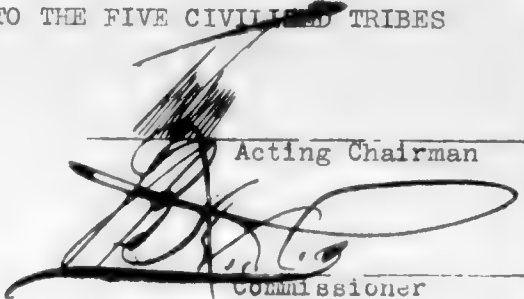
Section forty-one of the Act of Congress entitled "An Act to ratify and confirm an agreement with the Choctaw and Chickasaw tribes of Indians, and for other purposes" approved July 1, 1902,

(32 Stats. 641) and ratified by the Choctaw and Chickasaw Nations September 25, 1902, provides as follows:


"The application of no person for identification as a Mississippi Choctaw shall be received by said Commission after six months subsequent to the date of the final ratification of this agreement and in the disposition of such applications all full-blood Mississippi Choctaw Indians and the descendants of any Mississippi Choctaw Indians whether of full or mixed blood who received a patent to land under the said fourteenth article of the said treaty of eighteen hundred and thirty who had not moved to or made bona fide settlement in the Choctaw-Chickasaw country prior to June twenty-eighth, eighteen hundred and ninety-eight, shall be deemed to be Mississippi Choctaws, entitled to benefits under article fourteen of the said treaty of September twenty-seventh, eighteen hundred and thirty, and to identification as such by said Commission, but this direction or provision shall be deemed to be only a rule of evidence and shall not be invoked by or operate to the advantage of any applicant who is not a Mississippi Choctaw of the full blood, or who is not the descendant of a Mississippi Choctaw who received a patent to land under said treaty, or who is otherwise barred from the right of citizenship in the Choctaw Nation, all of said Mississippi Choctaws so enrolled by said Commission shall be upon a separate roll."

It is, therefore, the opinion of this Commission that Jim Jack and Liza Jack should be identified as Mississippi Choctaws and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES


Acting Chairman

Commissioner


Commissioner

Muskogee, Indian Territory

FEB 14 1903

COPY

M.C.R. 1995

Muskogee, Indian Territory, February 21, 1903.

Mansfield, McMurray & Gernish,

Attorneys for the Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:

Enclosed herewith you will find a copy of the decision of the Commission rendered February 14, 1903, identifying Jim Jack and his wife, Lisa Jack, as Mississippi Choctaw Indians under the provisions of the forty-first section of the act of Congress approved July 1, 1902 (32 Stats., 641).

You are hereby advised that you will be allowed fifteen days from the date hereof, in which to file with this Commission such protest as you desire to make against the action of the Commission in identifying the said Jim Jack and his wife as Mississippi Choctaws, and make satisfactory proof of service of said protest upon the applicants herein.

If you fail to file such protest within the time allowed, the names of the applicants herein will be placed upon the schedule of duly identified Mississippi Choctaws now being prepared by this Commission.

Respectfully,

(SIGNED)

John Bixby

Acting Chairman.

Registered.
Enc. M C R 1995

COPY.

M.C.P. 1995

Muskogee, Indian Territory, March 11, 1903

Jim Jack,

Tucker, Mississippi.

Dear Sir:

Enclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered February 14, 1903, identifying yourself and your wife, Liza Jack as Mississippi Choctaw Indians under the provisions of Section 41 of the Act of Congress approved July 1, 1902, (32 Stats., 641).

If you remove to the Choctaw-Chickasaw country, Indian Territory, before August 14, 1903, you will have six months from that date, or until February 14, 1904, within which to make proof of such removal and settlement at the office of the Commission at Atoka, Choctaw Nation, or Tishomingo, Chickasaw Nation.

Respectfully,

Tamm Dixey.

(SIGNED)

Chairman.

Registered.

Enc. 1995

Admrs, I. C. April 17, 1903.

To the Commission on the Five Civilized Tribes.

You will please deliver to J. A. Hall, of Atoka,
Indian Territory, my copies of the records in my case, that
under the rule of law the Commission may give out to Attorneys
as I have employed him to assist in this case.

Jim Jack

For Identification as a Mississippi Choctaw.

Date MAY 2 1901

Name Jim Jack

Age 24 - Blood full

Post Office, Tucker, Miss.

Father: Billy Jack. ^{full blood}Mother: Lanna " ^{full blood}

Claims through full parents.

Liza. ²⁶ full blood. ^l
 wife ^{mother} Amy Pistubbe ^l
 " ^{father} Pistubbe ^d

Children.

See MC Card filed No. 145.

Claims for self and
 wife -

Stenographer N.C. Ristern -

Jim Jack et al.

1995

COPY OF DECISION FORWARDED
APPLICANT MAR 11 1903

66

Choctaw MCR 1996

MCR 1996

Jacket Missing

EMPTY

Choctaw MCR 1997

John Tookolo

MCR 1997

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

-oOo-

In the matter of the application of John Tookolo, for identification as a Mississippi Choctaw.

-oOo-

Herein is the record in the matter of the application of John Tookolo, for identification as a Mississippi Choctaw,
M C R 1997.

-oOo-

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

-oOo-

In the matter of the application of John Tookolo, for identification as a Mississippi Choctaw, M.C.R. 1997.

--: I N D E X :--

	(Page)
Original application of John Tookolo, to the Dawes Commission for identification as a Mississippi Choctaw-----	1
Testimony of George Polk-----	3
Decision of the Commission dismissing the case of John Tookolo-----	5

-oOo-

Examination
197
DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Philadelphia, Mississippi, May 2, 1901.

In the matter of the application of John Tookolo for identification as a Mississippi Choctaw.

John Tookolo, having been first duly sworn, upon his oath testifies as follows, (through Tom Tubbee official interpreter):

Examination by the Commission:

- Q What is your name? A John Tookolo.
Q What is your age? A Twenty one.
Q What is your post office address? A Philadelphia, Mississippi.
Q How long have you lived in Mississippi? A All my life.
Q How long in Philadelphia? A Just this year.
Q Where did you live before you lived here? A Catholic Mission, Neshoba County.
Q How long did you live at the Mission? A Twelve years.
Q You never lived in any other state? A No.
Q What is your father's name? A William Tookolo.
Q Is he living? A Dead.
Q Was your father full blood? A Yes.
Q What is your mother's name? A Sealy Tookolo.
Q Is she full blood? A Yes.
Q Is she living or dead? A Living.
Q Are you full blood Choctaw? A Yes.
Q You claim your Choctaw ~~full~~ blood through both your parents? A Yes.
Q Have your parents through whom you claim your right to identification as a Mississippi Choctaw ever been recognized in any manner or enrolled as members of the Choctaw tribe of Indians by the Choctaw tribal authorities or by the authorities of the United States?
A I don't know.
Q Are you married? A No.
Q You have no children? A No.
Q Is your name on any of the tribal rolls of the Choctaw Nation in the Indian Territory? A No.
Q Have you ever made application to the Choctaw tribal authorities in the Indian Territory to be enrolled as a member of that tribe?
A No.
Q Did you or any one for you in 1896 make application to the Commission to the Five Civilized Tribes for citizenship under the act of Congress of June 10, 1896? A No sir.
Q Have you ever been admitted to citizenship in the Choctaw Nation by the Choctaw tribal authorities, by the Commission to the Five Civilized Tribes or by the United States Court in Indian Territory?
A No.
Q Have you ever made application before this time to either the Choctaw tribal authorities or the authorities of the United States to be admitted or enrolled as a citizen of the Choctaw Nation? A Made application two years ago before McKennon.

The applicant in this case claims he made application before the Commission to the Five Civilized Tribes at Philadelphia, Mississippi in 1899, but neither his name nor that of his mother Sealy Tookolo can be found upon the roll made at that time.

- Q You now want to make application for identification as a Mississippi Choctaw? A Yes.
Q Do you claim your right as a beneficiary under the fourteenth article of the treaty of 1830? A Yes.
Q Have you ever received any benefits as a Choctaw Indian? A No.

John Tookolo.----2.

Q Did any of your ancestors ever receive any benefits as Choctaw Indians? A I don't know nothing about it.

Q Do you know the name of your grandmother or grandfather? A No.

Q Did any of your ancestors remove from the territory occupied by the Choctaw Nation in Mississippi and Alabama to the present Choctaw Nation in the Indian Territory at the time of the removal of the other members of the Choctaw tribe of Indians between the years 1833 and 1838? A Don't know.

Q Did any of your ancestors within six months after the ratification of the treaty of 1830 tell the United States Indian Agent living in Mississippi at that time that they wanted to remain in Mississippi and take land here and become citizens of the states? A Don't know.

Q Have any of your ancestors ever claimed or received any land in Mississippi as beneficiaries under the provisions of the fourteenth article of the treaty of 1830? A Don't know.

Q Are there any additional statements you desire to make in support of this application? A No, I am done.

Q Have you any documentary evidence, affidavits, written testimony of any description, copies of records, deeds or patents, or other proper papers showing that your ancestors were recognized members of the Choctaw tribe of Indians in Mississippi and Alabama when the treaty of 1830 was made, or that they ever complied or attempted to comply with the provisions of the fourteenth article of that treaty or ever received any benefits thereunder? A No.

The appearance of this applicant is that of a full blood Choctaw Indian. He speaks the Choctaw language and has little knowledge of the English language, most of his testimony having been interpreted by a sworn Choctaw interpreter.

The decision of the Commission as to your application for identification as a Mississippi Choctaw will be determined at the earliest possible date and a report of the same made to the Secretary of the Interior conformable to the provisions of the twenty first section of the act of Congress of June 28, 1898, and a copy of the same will be mailed to you at your post office address as given in your testimony.

H.C. Risteen, having been first duly sworn, upon his oath states: That as stenographer to the Commission to the Five Civilized Tribes he reported in full all proceedings had in the above entitled cause on the 2nd day of May, 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes of said proceedings on said date.

H.C. Risteen

Subscribed and sworn to before me at Philadelphia, Mississippi, this 3rd day of May, 1901.

Howell I. Quinn

Justice of the Peace in and
for District No. 1, Neshoba
County, Mississippi.

Department of the Interior,
Commission to the Five Civilized Tribes,
Philadelphia, Mississippi, March 4th, 1902.

In the matter of the death of John Tookolo, whose name appears upon Mississippi Choctaw Card, Field Number 137; also, upon Mississippi Choctaw Card, R-1997.

George Polk, having been first duly sworn, upon his oath testified as follows:

Examination by the Commission.

- Q What is your name? A George Polk.
Q How old are you? A I am forty three.
Q What's your post office address? A Tucker, Mississippi.
Q Are you a full blood Choctaw? A Yes.
Q How long have you lived about Tucker? A About sixteen years.
Q Did you ever know a man by the name of John Tookolo? A Yes.
Q Is he living? A No, dead.
Q When did he die? A Last June or July, I don't know which he died.
Q Were you present when he died? A No, sir.
Q How do you know he is dead, George? A Well, I heard it that he died.
Q Have you ever seen him since you heard he was dead? A No, aint seen him.
Q How many different people did you hear say he was dead? A Good many; I don't know how many.
Q How long was it after he died that you heard of his death? A Same morning.
Q Where did you hear it? A Heard it at home.
Q Where is he buried? A He is buried in Tucker grave yard.
Q Catholic grave yard? A Yes.
Q Were you there when he was buried? A No.
Q Well, what was his father's name? A Billy Tookolo.
Q What was his mother's name? A Sealy.
Q Has John any brothers living? A Yes.
Q How many? A One.
Q What's his name? A George Tookolo.
Q About how old was John when he died? A I don't know how old; about nineteen or twenty, I don't know which.
Q Well, does Sealy ever go by the name of Mash-u-lo-ka? A Yes.
Q Did you ever know a woman by the name of Jennie Bell? A Yes.
Q Is she living? A No, she's dead.
Q When did she die? A Long about two years ago.
Q Do you remember the month? A No.
Q Where did she die? A Close to Tucker.
Q Were you present when she died? A No, sir.
Q Where is she buried? A She is buried at Tucker, in grave yard.
Q Were you present when she was buried? A No, I was sick.
Q You know she is dead though? A Yes.
Q How did you find it out? A They told me, and I heard.
Q How many different people told you? A Good many.
Q What was her father's name? A Name Billy Tookolo.
Q Did she have any children at the time of her death? A No, sir, single.

Death of John Tookolo, 2.

R. S. Streit, having been first duly sworn, upon his oath states that as stenographer to the Commission to the Five Civilized Tribes, he reported in full all proceedings had in the above entitled cause on the 4th day of March, 1902, at Philadelphia, Mississippi, and that the above and foregoing is a full, true and correct translation of his stenographic notes of said proceedings in said cause upon said date.

R. S. Streit

Subscribed and sworn to before me at Seale, Mississippi, this 26th day of March 1902.

L. B. Mosely

Clerk U.S. Circuit court,
Southern District of Mississippi,

By

J. M. M.

Deputy.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

-oOo-

In the matter of the application of John Tookolo, for identification as a Mississippi Choctaw, M.C.R. 1997.

---: D E C I S I O N :---

It appears from the record herein that an application for identification as a Mississippi Choctaw was made to this Commission on May 2, 1901, by John Tookolo for himself, under the following provision of the act of Congress approved June 28, 1898 (30 Stats., 495):

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses, and perform all other acts necessary thereto and make report to the Secretary of the Interior."

From the evidence it appears that the applicant herein died prior to September 25, 1902, the date upon which the act of Congress approved July 1, 1902, (32 Stats., 641), was ratified by the citizens of the Choctaw and Chickasaw Nations.

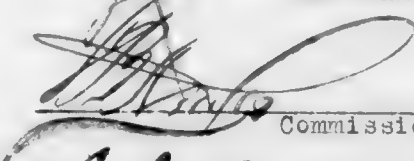
It is therefore the opinion of this Commission that the

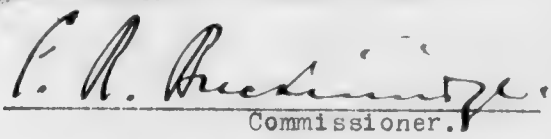
(2)

application made for the identification of John Tookolo as a Mississippi Choctaw should be dismissed, and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.


Chairman.


Commissioner.


Commissioner.

Muskogee, Indian Territory,

Commissioner.

MAY 22 -

M.C.R. 1997

Muskogee, Indian Territory, May 9, 1904.

Mansfield, McMurray & Cornish,

Attorneys for Choctaw and Chickasaw Nations,

South McAlester, Indian Territory,

Gentlemen:

Inclosed herewith you will find a copy of the decision of this Commission, dated May 9, 1904, dismissing the application of John Tookolo for identification as a Mississippi Choctaw.

Respectfully,

W. H. D.

W. H. D.

Chairman.

Incl. MCR 1997.

For Identification as a Mississippi Choctaw.

Date MAY 2 1901

Name John Tookolo

Age 21 - Blood full -

Post Office, Philadelphia, Miss.

Father: William Tookolo d ^{full blood}

Mother: Leahy .. full blood C

Claims through both parents.

Claims for self alone.

~~Children:~~

Stenographer H. C. Rietzen

Mississippi
Duke
John Tookolo.

DISMISSED

MAY

COPY OF DECISION FORWARDED
ATTORNEYS FOR SELECTAWAY
CHICKASAW NATIONS.

1999

John H. J

Sub title 3/10/99

2001

1990

1999

Choctaw MCR 1998

Jim Billey.

MCR 1998

FOR IDENTIFICATION AS
A MISSISSIPPI CHOCTAW

Jim Billy, et al.,

IDENTIFIED

DECISION RENDERED

NOTICE OF DECISION MADE BY JUDGE APR 11 1903

NOTICE OF DECISION MADE BY JUDGE APR 11 1903
FOR CHOCTAW AND MISSISSIPPI

7-40

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

The record herein is in the matter of
the application of Jim Billey, et al., for identification as Mississippi Choctaws, M.C.R. 1998.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

In the matter of the application of Jim Billey, et al.,
for identification as Mississippi Choctaws, M.C.R. 1998

I N D E X

Original application of Jim Billey et al., to the Dawes Commission for identification as Mississippi Choctaws	1
Decision of the Commission identifying Jim Billey et al., as Mississippi Choctaws	4

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Philadelphia, Mississippi, May 2, 1901.

In the matter of the application of Jim Billey for the identification of himself and one minor child as Mississippi Choctaws.

Jim Billey, having been first duly sworn, upon his oath testifies as follows (through Tom Tubbee official interpreter):

Examination by the Commission:

- Q What is your name? A Jim Billey.
Q How old are you? A Forty eight.
Q What is your post office address? A Philadelphia, Mississippi.
Q How long have you lived in Mississippi? A I stay here all my life.
✓ Q Is your father living? A No.
✓ Q What was his name? A Billey----Oook-a-la-hane-lubbee.
Q Did he always live in Mississippi? A Yes.
✓ Q Was he a full blood Choctaw? A Yes.
✓ Q Is your mother living? A No.
✓ Q What was her name? A Tim-a-yonah
Q Did your mother have an English name too? A Betsey.
✓ Q Was your mother a full blood Choctaw? A Yes
Q Did she always live in Mississippi? A Yes.
Q Were either of your parents ever recognized in any manner or enrolled as members of the Choctaw tribe of Indians by the Choctaw tribal authorities in the Indian Territory or by the United States authorities? A I don't know.
Q Are you married? A No.
Q Have you been married? A Yes.
✓ Q What was your wife's name? A Josephine.
Q Is she living or dead? A Dead.
✓ Q Was she a full blood Choctaw? A Yes.
Q Did she always live in Mississippi? A Yes.
Q Her parents always lived in Mississippi? A Yes;
Q All of her ancestors always lived in Mississippi? A Yes.
Q Have you any children? A Yes.
Q How many? A One.
Q What is the name of this child? A Bud.
Q How old is Bud? A Eleven.
Q Are you Bud's father? A Yes.
Q What was the name of his mother? A Josephine.
Q You claim Bud is a full blood, do you? A Yes.
Q He is living now? A Yes.
Q Were you married to Josephine under a license or according to the Choctaw custom? A Injun custom.
Q Did you live together as man and wife until her death? A Yes.
Q Were either of Josephine's parents ever recognized in any manner or enrolled as members of the Choctaw tribe of Indians by the Choctaw tribal authorities or by the United States authorities?
A I don't know.
Q Is your name or the name of your minor child upon the Choctaw tribal rolls in the Indian Territory? A I don't know.
Q Did you ever make application to the Choctaw tribal authorities out in the Indian Territory for yourself or Bud to be enrolled as a member of that tribe? A No.
Q Did you in 1896 make application to this Commission for citizenship in the Choctaw Nation for yourself or Bud? A No.
Q Have you or your minor son Bud ever been admitted to citizenship in the Choctaw Nation by the Choctaw tribal authorities, by this Commission or by the United States Court in the Indian Territory?

Jim Billey— 2.

A I don't know.

Q If you ever have been admitted to citizenship, you do not know it
A No.

Q Have you ever made application before today to the Choctaw tribal authorities, or the Commission to the Five Civilized Tribes, to be enrolled or admitted as citizens of the Choctaw Nation? A I made application two years ago.

Q Is that application two years ago the only application of any kind you ever made before this? A That is all.

The records of the Commission show that on January 30, 1899, this applicant appeared before the Commission at Philadelphia, Mississippi, and made application for the identification of himself and his son, Bud Billey, as Mississippi Choctaws, their names appearing upon Mississippi Choctaw Card Field No. 123, also upon page 50 of the schedule of Mississippi Choctaws which accompanied the report of March 10, 1899, of the Commission to the Five Civilized Tribes to the Secretary of the Interior as to the identity of Choctaw Indians residing in Mississippi claiming rights in the Choctaw lands under the fourteenth article of the treaty of Dancing Rabbit Creek, being Nos. 434 and 435 respectively thereon.

Q Do you now want to make application for the identification of yourself and your minor son as Mississippi Choctaws? A Yes.

Q Do you claim your rights under the provisions of the fourteenth article of the treaty of Dancing Rabbit Creek? A Yes

Q Did you ever receive any benefits as a Choctaw Indian? A No.

Q Did your wife ever receive any benefits as a Choctaw Indian?
A No.

Q Did any of your ancestors or any of your wife's ancestors ever receive any benefits as Choctaws? A No.

Q Were any of your ancestors or any of your wife's ancestors living here in the old Choctaw Nation in Mississippi and Alabama in 1830 when the treaty of Dancing Rabbit Creek was made? A Don't know.

Q Were any of your ancestors or any of your wife's ancestors recognized members of the Choctaw tribe of Indians at that time? A Don't know.

Q Did any of your ~~mi~~ ancestors or any of your wife's ancestors remove from the old Choctaw Nation in Mississippi and Alabama ~~west~~ to the new Choctaw Nation in the Indian Territory at the time the main part of the Choctaws moved out there between the years 1833 and 1838
A Don't know.

Q Did any of your ancestors or any of your wife's ancestors within six months after the treaty of Dancing Rabbit Creek was ratified signify to the United States Indian Agent for the Choctaw Indians in Mississippi their intention to remain in Mississippi and become citizens of the states? A Don't know.

Q Did any of your ancestors or any of your wife's ancestors ever claim or receive any land in Mississippi as beneficiaries under the provisions of the fourteenth article of the treaty of 1830?
A No.

Q Do you know the names of your grandparents? A No.

Q Do you know the names of your wife's grandparents? A No.

Q Are there any additional statements you want to make at this time in support of your application? A No.

Q Have you any documentary evidence, affidavits, written testimony of any descriptions, copies of records, deeds or patents, or other proper papers, showing that any of your ancestors or any of your wife's ancestors were recognized members of the Choctaw tribe of Indians in Mississippi and Alabama in 1830 when the treaty of Dancing Rabbit Creek was made, or that any of them ever ~~claimed or~~ complied or attempted to comply with the provisions of the fourteenth article of that treaty, or ever receive any benefits thereunder? A No

Jim Billey---3.

This applicant has every appearance and characteristic of a full blood Indian. He speaks the Choctaw language and but very little English, the main part of the examination having been conducted through a sworn Choctaw interpreter.

The decision of the Commission as to your application for the identification of yourself and your minor son as Mississippi Choctaws will be determined at the earliest possible date and a report of the same made to the Secretary of the Interior conformable to the provisions of the twenty first section of the act of Congress of June 28, 1898, and a copy of the same will be mailed to you at your post office address as given in your testimony.

H.C. Risteen, having been first duly sworn, upon his oath states: That as stenographer to the Commission to the Five Civilized Tribes he reported in full all proceedings had in the above entitled cause on the 2nd day of May, 1901, and that the above and foregoing is a full true and correct transcript of his stenographic notes of said proceedings on said date.

H.C. Risteen

Subscribed and sworn to before me at Philadelphia, Mississippi, this 3rd day of May, 1901.

Howell S. Quinn

Justice of the Peace in and
for District No. 1, Neshoba
County, Mississippi.

C.W.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

In the matter of the application of Jim Billey, et al.,
for identification as Mississippi Choctaws, M.C.R. 1998.

----- D E C I S I O N -- ----

It appears from the record herein that application for identification as Mississippi Choctaws was made to this Commission on May 2, 1901, by Jim Billey for himself and his minor child, Bud Billey, under the following provision of the Act of Congress approved June 28, 1898 (30 Stats. 495):

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty and to that end may administer oaths examine witnesses and perform all other acts necessary thereto and make report to the Secretary of the Interior."

From the evidence submitted in support of said application it appears that both the applicants are full blood Mississippi Choctaw Indians.

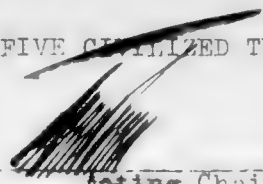
Section forty-one of the Act of Congress entitled "An Act to ratify and confirm an agreement with the Choctaw and Chickasaw

tribes of Indians, and for other purposes" approved July 1, 1902, (32 Stats. 641) and ratified by the Choctaw and Chickasaw Nations September 25, 1902, provides as follows:

"The application of no person for identification as a Mississippi Choctaw shall be received by said Commission after six months subsequent to the date of the final ratification of this agreement and in the disposition of such applications all full-blood Mississippi Choctaw Indians and the descendants of any Mississippi Choctaw Indians whether of full or mixed blood who received a patent to land under the said fourteenth article of the said treaty of eighteen hundred and thirty who had not moved to and made bona fide settlement in the Choctaw-Chickasaw country prior to June twenty-eighth, eighteen hundred and ninety-eight, shall be deemed to be Mississippi Choctaws entitled to benefits under article fourteen of the said treaty of September twenty-seventh, eighteen hundred and thirty, and to identification as such by said Commission, but this direction or provision shall be deemed to be only a rule of evidence and shall not be invoked by or operate to the advantage of any applicant who is not a Mississippi Choctaw of the full blood, or who is not the descendant of a Mississippi Choctaw who received a patent to land under said treaty, or who is otherwise barred from the right of citizenship in the Choctaw Nation, all of said Mississippi Choctaws so enrolled by said Commission shall be upon a separate roll."

It is, therefore, the opinion of this Commission that Jim Billey and Bud Billey should be identified as Mississippi Choctaws, and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES


Acting Chairman

Commissioner


Commissioner

Muskogee, Indian Territory


COMMISSIONER

COPY.

M.C.R. 1898.

Muskogee, Indian Territory, April 11, 1903.

Manefield, McMurray & Cornish,

Attorneys for the Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:

Enclosed herewith you will find a copy of the decision of the Commission rendered April 11, 1903, identifying Jim Billey and his minor child, Bud Billey, as Mississippi Choctaw Indians under the provisions of the act of Congress approved July 1, 1902, (32 Stats., 641).

You are hereby advised that you will be allowed fifteen days from the date hereof, in which to file with this Commission such protest as you desire to make against the action of the Commission in identifying the said Jim Billey and child as Mississippi Choctaws, and make satisfactory proof of service of said protest upon the applicants herein.

If you fail to make such protest within the time allowed, the names of the applicants herein will be placed upon the schedule of duly identified Mississippi Choctaws now being prepared by this Commission.

Respectfully,

REGISTERED.

TAMM

Registered.
Enc. 1898.

Chairman.

COPY.

Muskogee, Indian Territory, April 27, 1903.

Jim Billey,

Philadelphia, Mississippi.

Dear Sir:

Enclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered April 11, 1903, identifying yourself and minor child, Bud Billey, as Mississippi Choctaw Indians under the provisions of article 41 of the Act of Congress approved July 1, 1902, (32 Stats., 641).

If you remove to the Choctaw-Chickasaw country, Indian Territory, before October 11, 1903, you will have six months from that date, or until April 11, 1904, within which to make proof of such removal and settlement at the office of the Commission at Atoka, Choctaw Nation, or Wishomingo, Chickasaw Nation.

Respectfully,

(SIGNED)

Tamie Bixby.

Chairman.

Registered.

Enc. 1998.

M.C.R. 422.

Muskogee, Indian Territory, August 17, 1903.

Commissioner in Charge,
Chickasaw Land Office,
Tishomingo, Indian Territory.

Dear Sir:

You are hereby notified that the following notation has this day been made upon the original identified Mississippi Choctaw card 422:

SETTLEMENT ADDRESS "Calloway, Ind. Ter."
DATE OF PROOF OF SETTLEMENT "July 23, 1903."

You are requested to make like notation upon the duplicate Mississippi Choctaw card in the possession of your office.

Respectfully,

Commissioner in Charge.

No.

1498

For Identification as a Mississippi Choctaw.

Date MAY 2 1901

Name J. B. Dilly

Age 48 Blood full

Post Office, Philadelphia, Miss.

Father: Dilly (dead)
(Cok a-la-hane Hubbs)

Mother: Dilly Dilly
(Lin a nonah)

Claims through both parents.

Wife: Sophene Dilly (dead)

(See Miss. Choct. card filed

No 124. Testimony 7/3/99)

Children.

Bud Dilly (full) 11

(Claims for himself and one
minor child.)

Stenographer

H. Christen

Choctaw MCR 1999

John Billey

MCR 1999

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

The within record is in the matter of the
application of John Billey, et al., for identification as
Mississippi Choctaws,
M.C.R. 1999

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

In the matter of the application of John Billey, et al.,
for identification as Mississippi Choctaws-----M.C.R. 1999.

-----I N D E X -----

Original application of John Billey, et al., to the Dawes Commission for identification as Mississippi Choctaws	1
Testimony of George Polk relative to the death of John Billey	5
Decision of the Commission identifying the living applicants embraced in the application of John Billey, et al., as Mississippi Choctaws	6

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Philadelphia, Mississippi, May 2, 1901.

In the matter of the application of John Billey for the identification of himself, his wife, one child and two step-children as Mississippi Choctaws.

John Billey, having been first duly sworn, upon his oath testifies as follows, (through Tom Tubbee, official interpreter):

Examination by the Commission:

- Q What is your name? A John Billey.
Q How old are you? A Fifty three.
Q What is your post office address? A Tucker, Mississippi.
Q How long have you lived in Mississippi? A I was raised here.
Q Lived here all your life? A Yes.
Q Is your father living? A ~~Yes~~. No sir.
Q What was his name? A Billey--Injun name, Ook-a-la-hane-lubbee.
Q Was your father a full blood Choctaw? A Yes.
Q Did he always live in the state of Mississippi? A Yes.
Q Is your mother living? A No, dead.
Q What was her name? A Betsey--Injuns called her Tim-a-yonah.
Q Was she a full blood Choctaw? A Yes.
Q Always lived in Mississippi? A Yes.
Q Have all of your forefathers lived in Mississippi so far as you know? A Grandpa named Thlopo-tubbee--They always lived in Mississippi.
Q You claim to be a full blood Choctaw? A Yes.
Q Was your father or mother, either of them, ever recognized in any manner of enrolled as members of the Choctaw tribe of Indians by the Choctaw tribal authorities or the authorities of the United States? A No.
Q Are you married? A Yes.
Q What is your wife's name? A Eliza.
Q Do you want to make application for your wife? A Yes.
Q How old is your wife? A Thirty-three I believe.
Q Is she a full blood Choctaw? A Yes.
Q You live with her at this time? A Yes.
Q How long have you been married? A Been married about eight years.
Q Were you married under license or according to the Choctaw customs A Under license.
Q Where did you get the license? A In the clerk's office in Philadelphia.
Q Who married you? A Catholic priest.
Q Have you your license with you here now? A No.
Q Is your wife's father living? A No, all dead.
Q What was his name? A Jim Polk.
Q Did he have any Choctaw name? A No.
Q Was he a full blood Choctaw? A Yes?
Q Is your wife's mother living? A No, dead.
Q What was her name? A Don't know.
Q Was she a full blood Choctaw? A Yes, think so.
Q Did your wife's father and mother always live in Mississippi? A Yes.
Q Have all of her forefathers always lived in Mississippi so far as you know? A Yes.
Q Were either of your wife's parents ever recognized in any manner or enrolled as members of the Choctaw tribe of Indians by the Choctaw tribal authorities or the United States authorities? A Don't know.
Q Have you any children in your family under twenty one and unmarried? A Yes.

John Billey--2.

- Q What are their names and ages? A Simon Bob.
Q How old is he? A Eighteen.
Q What is the next one? A Jim Bob.
Q How old is Jim? A Ten.
Q Next one? A Wicks Billey.
Q How old? A Six.
Q Simon Bob and Jim Bob are your wife's ~~brother~~ children by a former husband--? A Yes.
Q What is the name of their father? A Willis Bob.
Q Is he living? A Yes, he living.
Q Is he a full blood Choctaw? A Yes.
Q Eliza is the mother of Simon and Jim? A Yes.
Q Are you the father of Wicks Billey? A Yes.
Q What is the name of his mother? A Eliza.
Q Is your name your wife's name or the name of either one of these children upon the tribal rolls of the Choctaw Nation in the Indian Territory? A Don't know.
Q Did you ever make application to the Choctaw tribal authorities in the Indian Territory for yourself, your wife or any of these children to be enrolled as members of that tribe? A No.
Q Did you or any one for you in 1896 make application to the Commission to the Five Civilized Tribes for citizenship in the Choctaw Nation for yourself, your wife or any of these children? A No.
Q Have you, your wife or any of these children ever been admitted to citizenship in the Choctaw Nation in the Indian Territory by the Choctaw tribal authorities, this Commission or by the United States Court for the Indian Territory? A No.
Q Have you ever made application before this time to either the Choctaw tribal authorities or the United States authorities to be admitted or enrolled as members of the Choctaw tribe? A Make one before two years.

The records of the Commission show that on January 30, 1899, applicant John Billey appeared before the Commission at Philadelphia, Mississippi, and made application for the identification of himself, his wife, Eliza, his three children, Frances, Wicks and Ruckey Billey, and his three step-children, Simon, William and Jim Bob, as Mississippi Choctaws, their names appearing upon Mississippi Choctaw Card Field No. 123, also upon page 51 of the schedule of Mississippi Choctaws which accompanied the report of March 10, 1899, of the Commission to the Five Civilized Tribes to the Secretary of the Interior as to the identity of Choctaw Indians residing in Mississippi claiming rights in the Choctaw lands under the provisions of the fourteenth article of the treaty of Dancing Rabbit Creek, being Nos. 436, 437, 438, 439, 440, 441, 442 and 443, respectively, thereon.

- Q At the time you appeared before the Commission two years ago, you gave in the names of Frances Billey Ruckey Billey and William Bob -- are these three children living at this time? A No.
Q When did they die? A In April, a year ago.
Q Died in April, 1900? A Yes.
Q Do you know the date in April they died? A No.
Q Where did they die? A Catholic Mission in Neshoba County.
Q This application two years ago is the only application of any kind that has ever been made for yourself, your wife or any of these children? A Yes.
Q Do you now desire to make application for identification as yourself, your wife and your minor child and two minor stepchildren as Mississippi Choctaws? A Yes.
Q Do you claim your rights as beneficiaries under the fourteenth article of the treaty of Dancing Rabbit Creek? A Yes.

John Billey--3.

- Q Have you ever received any benefits as a Choctaw? A No.
- Q Did your wife ever receive any benefits as a Choctaw? A No.
- Q Did Willis Bob ever receive any benefits as a Choctaw Indian? A I don't know.
- Q Did any of your ancestors or any of your wife's ancestors or any of Willis Bob's ancestors ever receive any benefits as Choctaw Indians? A I don't know.
- Q Were any of your ancestors, your wife's ancestors or Willis Bob's ancestors living in the old Choctaw Nation in Mississippi and Alabama in the year 1830 when the treaty of Dancing Rabbit Creek was made? A I don't know.
- Q Did any of your ancestors any of your wife's ancestors or any of Willis Bob's ancestors remove from the old Choctaw Nation in Mississippi and Alabama to the present Choctaw Nation in the Indian Territory when the main part of the Choctaws were moved out there between the years 1833 and 1838? A I don't know.
- Q Did any of your ancestors or any of your wife's ancestors or any of Willis Bob's ancestors within six months after the treaty of Dancing Rabbit Creek was ratified signify to the United States Indian Agent for the Choctaw Indians in Mississippi their intention to remain in Mississippi and become citizens of the states? A I don't know.
- Q Were any of your ancestors, any of your wife's ancestors or any of Willis Bob's ancestors recognized members of the Choctaw tribe of Indians here in Mississippi and Alabama in 1830 when the treaty of Dancing Rabbit Creek was made? A I don't know.
- Q Did any of your ~~ancestors~~ ancestors, any of your wife's ancestors or any of Willis Bob's ancestors ever claim or receive any land in Mississippi as beneficiaries under the provisions of the fourteenth article of the treaty of Dancing Rabbit Creek? A I don't know.
- Q Do you know the names of your wife's grandparents? A No.
- Q Do you know the names of Willis Bob's grandparents? A No.
- Q Do you know the name of any other of your grandparents than Thlopo-tubbee? A No.
- Q Are there any additional statements you desire to make at this time in support of your application? A No.
- Q Have you any documentary evidence, affidavits, written testimony of any description, copies of records, deeds or patents, or other proper papers showing that any of your ancestors, your wife's ancestors or Willis Bob's ancestors were recognized members of the Choctaw tribe of Indians here in Mississippi and Alabama in 1830 when the treaty of Dancing Rabbit Creek was made, or that any of them ever ~~claimed or received~~ complied or attempted to comply with the provisions of the fourteenth article of that treaty, or ever received any benefits thereunder? A No.

This applicant has every appearance and characteristic of a full blood Choctaw Indian. He speaks the Choctaw language and very little English, the examination having been conducted mainly through a sworn Choctaw Interpreter.

The decision of the Commission as to this application which you make on behalf of yourself, your wife, one minor child and two minor step children for identification as Mississippi Choctaws will be determined at the earliest possible date and a report of the same made to the Secretary of the Interior conformable to the provisions of the twenty-first section of the act of Congress of June 28, 1898, and a copy of the same will be mailed to you at your post office address as given in your testimony.

H.C. Risteen, having been first duly sworn, upon his oath states That as stenographer to the Commission to the Five Civilized Tribes

John Billey--4.

he reported in full all proceedings had in the above entitled cause on the 2nd day of May 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes of said proceedings on said date.

H. C. Risten

Subscribed and sworn to before me at Philadelphia, Mississippi, this 3rd day of May, 1901.

Howell J. Quinn

Justice of the Peace in and
for Neshoba County, District
No. 1, Mississippi.

Department of the Interior,
Commission to the Five Civilized Tribes,
Philadelphia, Mississippi, March 4th, 1902.

In the matter of the death of John Billey, whose name appears upon Mississippi Choctaw Card, R-1999.

George Polk, having been first duly sworn, upon his oath testified as follows:

Examination by the Commission.

- Q What is your name? A George Polk.
Q How old are you? A I am forty three.
Q What's your post office address? A Tucker, Mississippi.
Q Are you a full blood Choctaw? A Yes.
Q How long have you lived about Tucker? A About sixteen years.
Q Were you ever acquainted with a man by the name of John Billey?
A Yes, sir.
Q Did he have any Choctaw blood? A Yes.
Q How much? A Full blood.
Q Is he living? A No, dead.
Q When did he die? A Seven days in October.
Q Last year? A Yes.
Q Where did he die? A He died at home, near Tucker.
Q Was he any kin to you? A He was a brother-in-law; he married my sister.
Q What's his wife's name? A Eliza.
Q Is she living now? A Yes, sir.
Q Have they any children? A Yes.
Q How many? A Three.
Q What are their names? A Simmon, Jim and Wick.
Q Well, now, Simmon's daddy was named Bob, was he? A Yes.
Q Where is John buried? A At church grave yard, near Tucker.
Q Were you there when he was buried? A Yes, sir.

R. S. Streit, having been first duly sworn, upon his oath states that as stenographer to the Commission to the Five Civilized Tribes, he reported in full all proceedings had in the above entitled cause on the 4th day of March, 1902, at Philadelphia, Mississippi, and that the above is a full true and correct translation of his stenographic notes of said proceedings in said cause upon said date.

Subscribed and sworn to before me at Seale, Mississippi, this 26th day of March, 1902.

R. S. Streit
L. B. Mosley
Clerk U.S. Circuit Court,
5 Southern District of Mississippi.

By *Max*

Deputy.

Cow.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

In the matter of the application of John Billey, et al.,
for identification as Mississippi Choctaws, M.C.R. 1999.

-----D E C I S I O N -----

It appears from the record herein that application for identification as Mississippi Choctaws was made to this Commission on May 2, 1901, by John Billey for himself, his wife Eliza, his two minor step-children Simon Bob and Jim Bob, and his minor child Wicks Billey, under the following provision of the Act of Congress approved June 28, 1898 (30 Stats. 495):

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto and make report to the Secretary of the Interior."

From the evidence submitted in support of said application it appears that all the applicants are full blood Mississippi Choctaw Indians.

Section forty-one of the Act of Congress entitled "An Act

to ratify and confirm an agreement with the Choctaw and Chickasaw tribes of Indians, and for other purposes" approved July 1, 1902, (32 Stats. 641) and ratified by the Choctaw and Chickasaw Nations September 25, 1902, provides as follows:

"The application of no person for identification as a Mississippi Choctaw shall be received by said Commission after six months subsequent to the date of the final ratification of this agreement and in the disposition of such applications all full-blood Mississippi Choctaw Indians and the descendants of any Mississippi Choctaw Indians whether of full or mixed blood who received a patent to land under the said fourteenth article of the said treaty of eighteen hundred and thirty who had not moved to and made bona fide settlement in the Choctaw-Chickasaw country prior to June twenty-eighth, eighteen hundred and ninety-eight, shall be deemed to be Mississippi Choctaws entitled to benefits under article fourteen of the said treaty of September twenty-seventh, eighteen hundred and thirty, and to identification as such by said Commission, but this direction or provision shall be deemed to be only a rule of evidence and shall not be invoked by or operate to the advantage of any applicant who is not a Mississippi Choctaw of the full blood, or who is not the descendant of a Mississippi Choctaw who received a patent to land under said treaty, or who is otherwise barred from the right of citizenship in the Choctaw Nation, all of said Mississippi Choctaws so enrolled by said Commission shall be upon a separate roll."

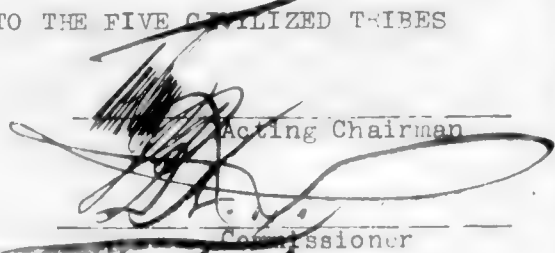

It further appears from the record herein that John Billey, the principal applicant, died about the 7th of October, 1901.

It is, therefore, the opinion of this Commission that Eliza Billey, Simon Bob, Jim Bob and Wicks Billey should be identified as Mississippi Choctaws, and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory

FEB 14 1903


Acting Chairman

Commissioner

M.C.R. 1999.

Muskogee, Indian Territory, February 21, 1903.

Mansfield, McMurray & Cornish,

Attorneys for Choctaw and Chickasaw Nations,
South McAlester, Indian Territory.

Gentlemen:

Enclosed herewith you will find a copy of the decision of the Commission rendered February 14, 1903, identifying Eliza Billey, her minor step-children, Simon Bob and Jim Bob, and her minor child, Wicks Billey, as Mississippi Choctaw Indians under the provisions of the forty-first section of the Act of Congress approved July 1, 1902, (32 Stats., 641).

You are hereby advised that you will be allowed fifteen days from the date hereof, in which to file with this Commission such protest as you desire to make against the action of the Commission in identifying the said Eliza Billey, her step children and child as Mississippi Choctaws, and make satisfactory proof of service of said protest upon the applicants herein.

If you fail to file such protest within the time allowed, the names of the applicants herein will be placed upon the schedule of duly identified Mississippi Choctaws now being prepared by this Commission.

Respectfully,

(SIGNED)

Tamie Pickett

Registered.

Enc. M.C.R. 1999.

Chairman.

M.C.R. 1999.

Muskogee, Indian Territory, March 11, 1903.

Eliza Billey,

Tucker, Mississippi.

Dear Madam:

Enclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered February 14, 1903, identifying yourself and your three minor children, Simon and Jim Bob and Wicks Billey, as Mississippi Choctaw Indians under the provisions of Section 41 of the Act of Congress approved July 1, 1902, (32 Stats., 641).

If you remove to the Choctaw-Chickasaw country, Indian Territory, before August 14, 1903, you will have six months from that date, or until February 14, 1904, within which to make proof of such removal and settlement at the office of the Commission at Atoka, Choctaw Nation, or Tishomingo, Chickasaw Nation.

Respectfully,

Samuel H. Hays
Chairman.

Registered.

Enc. 1999.

MAR 1999

Muskogee, Indian Territory, May 23, 1903.

Commissioner in Charge,

Chickasaw Land Office,

Tishomingo, Indian Territory.

Dear Sir:

You are hereby advised that the following notations have
this day been made upon Mississippi Choctaw card No. 14:

SETTLEMENT ADDRESS: "Calloway, Ind. Ter."

DATE OF PROOF OF SETTLEMENT: "May 11, 1903."

You are requested to make like notation upon the duplicate card in your possession in accordance with the above information.

Respectfully,

Chairman.

John Bilkey et al.

COPY OF DECISION FORWARDED
APPLICANT

MAR 11 1903

No

For Identification as a Mississippi Choctaw.

Date MAY 2 1901

Name John Wiley

Age 55 Blood full

Post Office, ~~the~~ Tucker Miss.

Father: Wiley (dead)

Mother: Wiley Wiley (dead)

Claims through both parents.

Wife Eliza Wiley (full) 33

Father Jim (dead)

Mother don't know

Children

Simon 6 yrs. 18

Jim " 10

Wicks Billy 6

Father Willis Bob (full) L

Mother Eliza Bump " L

(See Miss. Enc. Card full & to 123.

Testimony of (Wiley) (Claims for himself, his wife, and 3 children.)

Stenographer

H. C. Ruten

Choctaw MCR 2000

Boyd Bob

MCR 2000

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

In the matter of the application of Boyd Bob, et al.,
for identification as Mississippi Choctaws, M.C.R. 2000.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

In the matter of the application of Boyd Bob, et al.,
for identification as Mississippi Choctaws, M.C.R. 2000.

I N D E X

	Page
Original application of Boyd Bob, et al., to the Dawes Commission for identification as Mississippi Choctaws	1
Decision of the Commission identifying Boyd Bob, et al., as Mississippi Choctaws,	4

2000

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Philadelphia, Mississippi, May 2, 1901.

In the matter of the application of Boyd Bob for the identification of himself, his wife, and three minor children as Mississippi Choctaws.

Boyd Bob, having been first duly sworn, upon his oath testifies as follows, through Tom Tubbee, official interpreter:

Examination by the Commission:

- Q What is your name? A Boyd Bob.
Q What is your age? A Forty four.
Q What is your post office address? A Tucker.
Q What county is Tucker in? A Neshoba County, Mississippi.
Q How long have you lived in Mississippi? A Always.
Q Is your father living? A No.
Q What was his name? A Bob.
Q Did he have a Choctaw name? A Pis-un-tubbee.
Q When did he die? A Don't know---I was little boy before I knew it.
Q How old were you when he died? A Don't know.
Q Is your mother living? A Dead.
Q What was your mother's name? A Sookie.
Q Did she have a Choctaw name? A Yes, Sookie her Choctaw name.
Q Were your father and mother both full blood Choctaws? A Yes.
Q And you claim to be a full blood? A Yes.
Q Did your father and mother both live in the state of Mississippi all their lives? A Yes.
Q Have all of your forefathers always lived in the state of Mississippi all their lives so far as you know? A Yes.
Q Were either of your parents ever recognized in any manner or enrolled as members of the Choctaw tribe of Indians in the Indian Territory by the Choctaw tribal authorities or authorities of the United States? A I don't know.
Q Are you married? A Yes.
Q What is your wife's name? A Lisby.
Q Is Lisby living? A Yes.
Q Do you want to make application for your wife too? A Yes.
Q How old is your wife? A I think thirty-eight.
Q Is she a full blood Choctaw? A Yes.
Q Are you living with her at this time? A Yes.
Q Were you married under license or Choctaw custom? A Injun custom.
Q How long have you been married to her? A Twenty years.
Q Has your wife always lived in Mississippi? A Yes.
Q Is your wife's father living? A Yes.
Q What is his name? A Jimson Porter.
Q Is he a full blood Choctaw? A Yes.
Q Where does he live? A Five miles from here in Neshoba County.
Q Is your wife's mother living? A Dead.
Q Was she a full blood Choctaw? A Yes.
Q What was her name? A I don't know.
Q Did she always live in Mississippi? A Yes, Neshoba all the time.
Q Has Jimson Porter always lived in Mississippi? A Yes.
Q Have all of your wife's forefathers always lived in Mississippi?
A I don't know-- done dead long time.
Q Has your wife's father ever been or was your wife's mother ever recognized in any manner or enrolled as a member of the Choctaw tribe by the Choctaw tribal authorities or the United States authorities? A I don't know.
Q Have you any children in your family under 21 years of age and

Boyd Bob---2.

not married---if so, how many? A Three.

Q What are their names and ages? A Preston.

Q How old is Preston? A Thirteen years old.

Q Next one? A Rainey, about eight years old.

Q Next one? A Lexis, about eighteen months old.

Q Are you the father of all three of these children? A Yes.

Q What is the name of their mother? A Lisby.

✓ Q You claim they are all three full blood Choctaws? A Yes.

Q Is your name, your wife's name or the name of either one of these children to be found upon the tribal rolls of the Choctaw Nation in the Indian Territory? A Don't know.

Q Have you ever made application for yourself or your wife or any of these three children to the Choctaw tribal authorities to be enrolled as members of the Choctaw tribe of Indians? A No.

Q Did you or any one for you in 1896 make application to the Commission to the Five Civilized Tribes for citizenship in the Choctaw Nation for yourself, your wife or either one of these minor children? A No.

Q Have you or has your wife or either of these children ever been admitted to citizenship in the Choctaw Nation in the Indian Territory by the Choctaw tribal authorities, the Commission to the Five Civilized Tribes or by the United States Court in Indian Territory? A Don't know.

Q Have you ever made any application before now to either the Choctaw tribal authorities out in the Indian Territory or to this Commission to be enrolled or admitted as citizens of the Choctaw Nation? A I was here two years ago.

The records of the Commission show that on January 31, 1899, this applicant appeared before the Commission at Philadelphia, Mississippi, and made application for the identification of himself, his wife Disba, and two minor children, Priceton and Rainey. Their names appearing upon Mississippi Choctaw Card, Field No. 191, also upon page 59 of the schedule of Mississippi Choctaws which accompanied the report of March 10, 1899, of the Commission to the Five Civilized Tribes to the Secretary of the Interior as to the identity of Choctaw Indians residing in Mississippi claiming rights in the Choctaw lands under the provisions of article fourteen of the treaty of Dancing Rabbit Creek, being Nos. 653, 654, 655, respectively, thereon.

Q This application two years ago is the only other application of any description you have ever made is it? A Yes.

Q Do you now desire to make application for the identification of yourself, your wife and three minor children as Mississippi Choctaws? A Yes.

Q You claim your rights as beneficiaries under the provisions of the fourteenth article of the treaty of Dancing Rabbit Creek, do you? A Yes.

Q Have you ever received any benefits as Choctaw Indian? A No.

Q Did your wife ever receive any benefits as a Choctaw Indian?

A No, don't know.

Q Did any of your ancestors or your wife's ancestors ever receive any benefits as Choctaw Indians? A Don't know.

Q Were any of your ancestors or any of your wife's ancestors living in the old Choctaw Nation in Mississippi and Alabama in 1830 when the treaty of Dancing Rabbit Creek was made? A I don't know.

Q Were any of your ancestors or any of your wife's ancestors recognized members of the Choctaw tribe of Indians here at that time?

A Don't know.

Q Did any of your ancestors or any of your wife's ancestors remove from the old Choctaw Nation in Mississippi and Alabama to the present Choctaw Nation in the Indian Territory when the main part of the Choctaw tribe went out there between the years 1833 and 1838?

Boyd Bob---3.

A Don't know.

Q Did any of your ancestors or any of your wife's ancestors within six months after the treaty of Dancing Rabbit Creek was ratified signify to the United States Indian Agent for the Choctaws here in Mississippi their intention to remain in Mississippi and become citizens of the states? A Don't know.

Q Have any of your ancestors or any of your wife's ancestors ever claimed or received any land in Mississippi as beneficiaries under the fourteenth article of the treaty of Dancing Rabbit Creek? A No.

Q Do you know the names of your grandparents? A Don't know.

Q Do you know the names of any of your wife's grandparents? A Don't know.

Q Are there any additional statements you desire to make at this time in support of your application? A No.

Q Have you any documentary evidence, written testimony of any description, affidavits, copies or records, deeds or patents, or other proper papers, showing that any of your ancestors or any of your wife's ancestors were recognized members of the Choctaw tribe of Indians in 1830 when the treaty of Dancing Rabbit Creek was made, or that they complied or attempted to comply with ~~xxx~~ the provisions of the fourteenth article of that treaty, or ever received any benefits under that article of that treaty? A No.

This applicant has every appearance and characteristic of a full blood Indian. He does not speak the English language, the examination having been conducted through a sworn Choctaw interpreter.

The decision of the Commission as to the application made by you at this time for the identification of yourself, your wife and three minor children as Mississippi Choctaws will be determined at the earliest possible date, and a report of the same made to the Secretary of the Interior conformable to the provisions of the twenty first section of the act of Congress of June 28, 1898, and a copy of the same will be mailed to you at your post office address as given in your testimony.

H.C. Risteen, having been first duly sworn, upon his oath states: That as stenographer to the Commission to the Five Civilized Tribes he reported in full all proceedings had in the above entitled cause on the 2nd day of May, 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes of said proceedings on said date.

H.C. Risteen

Subscribed and sworn to before me at Philadelphia, Mississippi, this 3rd day of May, 1901.

Howell I. Quinn

Justice of the Peace in and
for District No. 1, Neshoba
County, Mississippi.

Civil

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

In the matter of the application of Boyd Bob, et al.,
for identification as Mississippi Choctaws, M.C.R. 2000.

-----D E C I S I O N -----

It appears from the record herein that application for identification as Mississippi Choctaws was made to this Commission on May 2, 1901, by Boyd Bob for himself, his wife Lisby and his three minor children, Preston, Rainey and Lexis Bob, under the following provision of the Act of Congress approved June 28, 1898 (30 Stats. 495):

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto and make report to the Secretary of the Interior."

From the evidence submitted in support of said application it appears that all the applicants are full blood Mississippi Choctaw Indians.

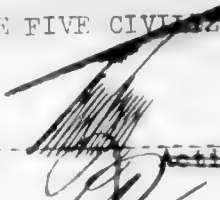
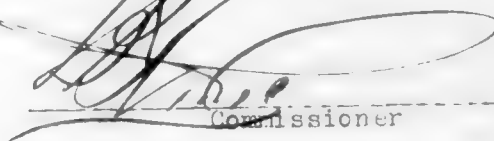

Section forty-one of the Act of Congress entitled "An Act to ratify and confirm an agreement with the Choctaw and Chickasaw

tribes of Indians, and for other purposes" approved July 1, 1902, (32 Stats. 641) and ratified by the Choctaw and Chickasaw Nations September 25, 1902, provides as follows:

"The application of no person for identification as a Mississippi Choctaw shall be received by said Commission after six months subsequent to the date of the final ratification of this agreement and in the disposition of such applications all full blood Mississippi Choctaw Indians and the descendants of any Mississippi Choctaw Indians whether of full or mixed blood who received a patent to land under the said fourteenth article of the said treaty of eighteen hundred and thirty who had not moved to and made bona fide settlement in the Choctaw-Chickasaw country prior to June twenty-eighth, eighteen hundred and ninety-eight, shall be deemed to be Mississippi Choctaws, entitled to benefits under article fourteen of the said treaty of September twenty-seventh, eighteen hundred and thirty, and to identification as such by said Commission, but this direction or provision shall be deemed to be only a rule of evidence and shall not be invoked by or operate to the advantage of any applicant who is not a Mississippi Choctaw of the full blood, or who is not the descendant of a Mississippi Choctaw who received a patent to land under said treaty, or who is otherwise barred from the right of citizenship in the Choctaw Nation, all of said Mississippi Choctaws so enrolled by said Commission shall be upon a separate roll."

It is, therefore, the opinion of this Commission that Boyd Bob, Lisby Bob, Preston Bob, Rainey Bob and Lexis Bob should be identified as Mississippi Choctaws, and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES


Acting Chairman

Commissioner

Commissioner

Muskogee, Indian Territory

APR 27 1903

M C R 2000

Muskogee, Indian Territory, April 6, 1903.

Boyd Bob,

Tucker, Mississippi.

Dear Sir:

On March 31, 1903, there was received at this office the affidavit of the mother, Lisby Bob, and that of the midwife, Noly Billy, relative to the birth of Gertrude Bob, infant child of Boyd and Lisby Bob, March 12, 1902.

In reply your attention is invited to the following provision of the act of Congress of July 1, 1902, which was ratified by the citizens of the Choctaw and Chickasaw Nations September 25, 1902:

"The application of no person for identification as a Mississippi Choctaw shall be received by said Commission after six months subsequent to the date of the final ratification of this agreement."

Under the above legislation the Commission is now without authority to receive or consider the application of any person for identification as a Mississippi Choctaw.

Respectfully,

Commissioner in Charge.

COPY.

M.C.R. 2000

Muskegee, Indian Territory, April 27, 1903.

Mansfield, McMurray & Cornish,
Attorneys for the Choctaw and Chickasaw Nations,
South McAlester, Indian Territory.

Gentlemen:

Enclosed herewith you will find a copy of the decision of the Commission rendered April 27, 1903, identifying Boyd Bob, his wife Lisby Bob, and his minor children, Preston Bob, Rainey Bob and Lexie Bob as Mississippi Choctaw Indians under the provisions of the forty-first section of the act of Congress approved July 1, 1902 (32 Stats. 641).

You are hereby advised that you will be allowed fifteen days from the date hereof in which to file with this Commission such protest as you desire to make against the action of the Commission in identifying the said Boyd Bob, his wife and children as Mississippi Choctaws, and make satisfactory proof of service of said protest upon the applicants herein.

If you fail to file such protest within the time allowed, the names of the applicants herein will be placed upon the schedule of duly identified Mississippi Choctaws now being prepared by this Commission.

Respectfully,

Registered.
Enclosure 2000.

RECORDED.

Tame Dixby.
Chairman.

2000-2039
M.C.R. 2089
2207-2208

Muskogee, Indian Territory, May 1, 1903.

Boyd Bob,

Engine, Mississippi.

Dear Sir:

Receipt is hereby acknowledged of the joint letter of yourself, Allen Tonubee, Nicklaus Tom, Jackson Tonubee and Nela Billie asking whether or not you have been identified as Mississippi Choctaws.

Replying to your communication you are advised that it appears from our records that on April 27, 1903, the Commission rendered decisions identifying Boyd Bob, his wife, Lisby and three minor children; Nollie Billey and two minor children; Nicholas Tom and three minor children; and Allen Tonubee and two minor children as Mississippi Choctaws: and on the same date notice to that effect was furnished the attorneys for the Choctaw and Chickasaw Nations. If at the end of fifteen days from April 27, 1903, no protest has been filed with the Commission by said attorneys against the identification of the above named persons as Mississippi Choctaws their names will be placed upon a schedule of duly identified Mississippi Choctaws now being prepared by the Commission.

You are further advised that it appears from our records that Jackson Tonubee, his wife, Bessie, and five minor children

B.2.-----2

are applicants to this Commission for identification as Mississippi Choctaws. Up to the present time no decision has been rendered by the Commission relative to their right to such identification but when a decision is reached they will be duly notified of the action of the Commission.

Respectfully,

Chairman.

M.C.E. 2000

COPY.

Muskogee, Indian Territory, May 8, 1903.

Boyd Bob,

Tucker, Mississippi.

Dear Sir:

Enclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered April 27, 1903, identifying yourself, your wife, Lisby Bob, and your minor children, Preston Bob, Rainey Bob and Lexis Bob as Mississippi Choctaw Indians under the provisions of Section 41 of the Act of Congress approved July 1, 1902, (32 Stats., 641).

If you remove to the Choctaw-Chickasaw country, Indian Territory, before October 27, 1903, you will have six months from that date, or until April 27, 1904, within which to make proof of such removal and settlement at the office of the Commission at Atoka, Choctaw Nation, or Tishomingo, Chickasaw Nation.

Respectfully,

(SIGNED).

Tams Bixby.
Chairman.

Registered.

Enc. 2000

M C R 2000

Muskogee, Indian Territory, May 4, 1905.

Boyd Bob,

Oberlin, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of the application for enrollment as a citizen of the Choctaw Nation of Gertrude Bob, infant child of Baby and Lisby Bob, born March 12, 1902.

Respectfully,

Chairman.

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

FOR IDENTIFICATION AS

A MISSISSIPPI CHOCTAW

IN RE Application for Enrollment, as a citizen of the

Choctaw

Nation.

of *Gabriel Alexis Bob*, born on the *26th* day of *September*, *1899*
(Here insert name of child)Name of Father: *Boyd Bob*, a citizen of the *Choctaw* Nation.Name of Mother: *Lisby Bob*, a citizen of the *Choctaw* Nation.Post-office, *Tucker, Neshoba Co. Miss.*

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,

INDIAN TERRITORY,

District.

I, *Lisby Bob*, on oath state that I am *59*
 years of age and a citizen, by *Blood*, of the *Choctaw* Nation;
 that I am the lawful wife of *Boyd Bob*, who is a citizen, by
marriage, of the *Choctaw* Nation, that a *female* child was
 born to me on the *26th* day of *September*, *1899*; that said child has been
 named *Gabriel Alexis Bob*, and is now living.

WITNESSES TO MARK

(Must be Two
Witnesses)
S. P. Spivey
B. W. Chatham
Lisby Bob
her
X
(mark)

 Subscribed and sworn to before me this *the 3rd* day of *May*, *1901*.

Howell I. Dunn
 Justice of the Peace, *Neshoba County State of Miss.*

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,

INDIAN TERRITORY,

District.

I, *Sina Williams*, a *Choctaw*, on oath state that I
 attended on Mrs. *Lisby Bob*, wife of *Boyd Bob*,
 on the *26th* day of *September*, *1899*; that there was born to her on
 said date a *female* child; that said child is now living and is said to have been
 named *Gabriel Alexis Bob*.

WITNESSES TO MARK:

(Must be Two
Witnesses)
S. P. Spivey
B. W. Chatham
Sina Williams
her
X
(mark)

 Subscribed and sworn to before me this *the 3rd* day of *May*, *1901*.

Howell I. Dunn
 Justice of the Peace, *Neshoba County State of Miss.*

Mississippi
FOR IDENTIFICATION AS
A MISSISSIPPI CHOCTAW.

IN RE

Application for Enrollment of

INFANT CHILD

Gabriel Alexis Bob.

as a citizen of

MISSISSIPPI CHOCTAW

Nation.

APPROVED FOR IDENTIFICATION AS
A MISSISSIPPI CHOCTAW.

190

Commissioner.

The application herein is accepted by the Commission as evidence of the birth of this child, and not as an application for its enrollment as a citizen of the Choctaw Nation; and is to be filed with and made a part of the original application of its parents for identification as Mississippi Choctaws.


Acting Chairman.

April, 6th, 1901.

MISSISSIPPI CHOCTAW

Recd. April, 16, 1901

2000 544

U. S. DEPT. OF JUSTICE	
NO.	20
1003	MAR 31 1903
	IN RE

Application for Enrollment of

INFANT CHILD

as a citizen of

.....Nation.

Approved

190..

Commissioner.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,
of Gertrude, born on the 12 day of March, 1902
(Here insert name of child)
Name of Father: Boyd Bob a citizen of the Choctaw Nation.
Name of Mother: Lisby Bob a citizen of the Choctaw Nation.
Post-office Tucker Miss.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
District, }

I, Lisby Bob (Jimmerson), on oath state that I am forty one
years of age and a citizen, by birth, of the Choctaw Nation;
that I am the lawful wife of Boyd Bob, who is a citizen, by
birth, of the Choctaw Nation; that a female child was
(male or female)
born to me on the 12th day of March, 1902; that said child has been
named Gertrude, and is now living.

WITNESSES TO MARK:

(Must be Two
Witnesses)

Subscribed and sworn to before me this 25th day of March, 1903.

H. J. Quinn, J. P. & Co.
Ex officio NOTARY PUBLIC

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
District, }

I, Noly Billy, a _____, on oath state that I
attended on Mrs. Lisby Bob, wife of Boyd Bob
on the 12th day of March, 1902; that there was born to her on
said date a female child; that said child is now living and is said to have been
(male or female)
named Gertrude.

WITNESSES TO MARK:

(Must be Two
Witnesses)

Subscribed and sworn to before me this 25th day of March, 1903.

H. J. Quinn, J. P. & Co.
Ex officio NOTARY PUBLIC

For Identification as a Mississippi Choctaw.

Date MAY 2 1901

Name Boyd Bel,

Age 44 Blood full

Post Office, Tucker, Miss

Father: Bob (dead)

"Paw-m-tubbee

Mother: Jackie Bob "

Claims through both parents

wife Lieby (Bel) (full), 38

Father: Emerson Carter L

Mother: (not known) (dead)

Children.

Oreston Bel, 13

Rainey " 8

Lexie " 18 mo

(See Mississippi Choctaw card

Field No 141. Testimony of

1/31/99.) Claims for himself

his wife, and three minor

Stenographer Children)

H. Kisteen

Boyd Bob, et al.

20

ILK

DECEMBER

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100

Choctaw MCR 2001

George Tookolo

MCR 2001

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

The within record is in the matter of
the application of George Tookolo for identification as
a Mississippi Choctaw,

M.C.R. 2001

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

In the matter of the application of George Tookolo, for
identification as a Mississippi Choctaw, M.C.R. 2001.

I N D E X

Original application of George Tookolo, to the Dawes Commission for identification as a Mississippi Choctaw,	Page 1
Decision of the Commission identifying George Tookolo, as a Mississippi Choctaw,	3

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Philadelphia, Mississippi, May 2, 1901.

In the matter of the application of George Tookolo for identification as a Mississippi Choctaw; he being first duly sworn upon his oath states as follows:

Examination by the Commission.

- Q What is your name? A George Tookolo.
Q What is your age? A 22.
Q What is your post office address? A Philadelphia, Mississippi.
Q Are you married? A No.
Q You just make application for yourself alone? A Yes.
Q How long have you lived at Philadelphia? A I don't, know, six months.
Q How long have you lived in Mississippi? A All my life.
Q You never lived anywhere else but Mississippi? A No.
Q What is your father's name? A Hilley Tookolo.
Q Is he living? A No.
Q What is your mother's name? A Sealy Tookolo.
Q Is Billy Tookolo, your father a full blood Indian? A Yes.
Q Is your mother full blood? A Yes.
Q Are you a full blood? A Yes.
Q You claim through both your father and mother? A Yes.
Q Have your father and mother, through whom you claim your right to identification as a Mississippi Choctaw ever been recognized in any manner or enrolled as a member of the Choctaw tribe of Indians, by the Choctaw authorities or by the authorities of the United States? A No.
Q Are you married? A No.
Q Have no children? A No.
Q You make this application for yourself alone? A Yes.
Q Is your name on any of the tribal rolls of the Choctaw Nation in the Indian Territory? A No.
Q Have you ever made application to the Choctaw tribal authorities in the Indian Territory to be enrolled as a member of the tribe? A No.
Q Did you, or did anyone for you, in 1896, make application to the Commission to the Five Civilized Tribes for citizenship in the Choctaw Nation under the Act of Congress of June 10, 1896? A No.
Q Have you ever been admitted to citizenship in the Choctaw Nation by either the Choctaw tribal authorities, by the Commission to the Five Civilized Tribes, or by the United States Court in the Indian Territory? A No.
Q Have you ever made application before this time to either the Choctaw tribal authorities or to the authorities of the United States to be admitted or enrolled as a citizen of the Choctaw Nation? A No.
Q You now want to make application for identification as a Mississippi Choctaw? A Yes.
Q You claim your right as a beneficiary under the provisions of the 14th article of the treaty of 1830? A Yes.
Q Have you ever received any benefits as a Choctaw Indian? A No.
Q Have any of your ancestors ever received any benefits as Choctaw Indians? A No.
Q What was the name of your ancestor or ancestors who were residents of the old Choctaw Nation in Mississippi and Alabama and acknowledged members of the Choctaw tribe of Indians in 1830 when the treaty of Dancing Rabbit Creek was entered into between the United States and the Choctaw Nation? A I don't know.
Q Did any of your ancestors, if Choctaw Indians, remove from the territory occupied by the Choctaw Nation in Mississippi and Alabama to the present Choctaw Nation, Indian Territory, at the time of the removal of the other members of the Choctaw tribe of Indians from 1833 to 1838? A No.
Q If these ancestors did not remove with the other members of the tribe, did they within six months after the ratification of the

George Tookola².

treaty of 1830, signify to the United States Indian Agent of the Choctaw Indians in Mississippi their intention to remain in Mississippi and become citizens of the United States? A I don't know.

Q Is there any additional statement you desire to make in support of this application? A No.

Q Have you any documentary evidence, affidavits, written testimony of any description, copies of records, deeds or patents, or any other proper papers showing that your ancestors were recognized members of the Choctaw tribe of Indians in Mississippi in 1830, or that they ever complied or attempted to comply with the provisions of the 14th article of the treaty of 1830 or that they ever received any benefits under that article of that treaty? A No.

(This applicant appears to be a full blood Choctaw Indian, speaking the Choctaw language, with a very imperfect knowledge of the English language.)

The decision of the Commission with reference to the application you make at this time for identification as a Mississippi Choctaw will be determined at the earliest possible date, and a report of the same made to the Secretary of the Interior conformable to the provisions of the Twenty First Section of the Act of Congress of June 28, 1898, and a copy of the same will be mailed to you at your post office address as given in your testimony.

R.S. Streit, being first duly sworn, upon his oath states that as stenographer to the Commission to the Five Civilized Tribes, he reported in full the proceedings had in the above entitled cause on the 2nd day of May 1901, and that the foregoing is a full, true and correct translation of his stenographic notes of said proceedings on said date.

R.S. Streit

Subscribed and sworn to before me at Philadelphia, Mississippi, this 2nd day of April, 1901.

Howell I. Quinn

Justice of the Peace,
for the First District.

George Tookola².

treaty of 1830, signify to the United States Indian Agent of the Choctaw Indians in Mississippi their intention to remain in Mississippi and become citizens of the United States? A I don't know.

Q Is there any additional statement you desire to make in support of this application? A No.

Q Have you any documentary evidence, affidavits, written testimony of any description, copies of records, deeds or patents, or any other proper papers showing that your ancestors were recognized members of the Choctaw tribe of Indians in Mississippi in 1830, or that they ever complied or attempted to comply with the provisions of the 14th article of the treaty of 1830 or that they ever received any benefits under that article of that treaty? A No.

(This applicant appears to be a full blood Choctaw Indian, speaking the Choctaw language, with a very imperfect knowledge of the English language.)

The decision of the Commission with reference to the application you make at this time for identification as a Mississippi Choctaw will be determined at the earliest possible date, and a report of the same made to the Secretary of the Interior conformable to the provisions of the Twenty First Section of the Act of Congress of June 20, 1898, and a copy of the same will be mailed to you at your post office address as given in your testimony.

R.S. Streit, being first duly sworn, upon his oath states that as stenographer to the Commission to the Five Civilized Tribes, he reported in full the proceedings had in the above entitled cause on the 2nd day of May 1901, and that the foregoing is a full, true and correct translation of his stenographic notes of said proceedings on said date.

R.S. Streit

Subscribed and sworn to before me at Philadelphia, Mississippi, this 2nd day of April, 1901.

Howell I. Quinn

Justice of the Peace,
for the First District.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

In the matter of the application of George Tookolo, for
identification as a Mississippi Choctaw, M.C.R. 2001.

-----D E C I S I O N -----

It appears from the record herein that application for
identification as a Mississippi Choctaw was made to this Commission
on May 2, 1901, by George Tookolo for himself, under the following
provision of the Act of Congress approved June 28, 1898(30 Stats.
495):

"Said Commission shall have authority to determine the
identity of Choctaw Indians claiming rights in the Choctaw
lands under article fourteen of the treaty between the United
States and the Choctaw Nation, concluded September twenty-
seventh, eighteen hundred and thirty, and to that end may
administer oaths, examine witnesses and perform all other acts
necessary thereto and make report to the Secretary of the
Interior."

From the evidence submitted in support of said application
it appears that the applicant is a full blood Mississippi Choctaw
Indian.


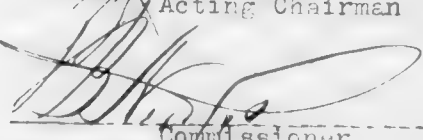

Section forty-one of the Act of Congress entitled "An Act
to ratify and confirm an agreement with the Choctaw and Chickasaw

tribes of Indians, and for other purposes" approved July 1, 1902, (32 Stats. 641) and ratified by the Choctaw and Chickasaw Nations September 26, 1902, provides as follows:

"The application of no person for identification as a Mississippi Choctaw shall be received by said Commission after six months subsequent to the date of the final ratification of this agreement and in the disposition of such applications all full blood Mississippi Choctaw Indians and the descendants of any Mississippi Choctaw Indians whether of full or mixed blood who received a patent to land under the said fourteenth article of the said treaty of eighteen hundred and thirty who had not moved to and made bona fide settlement in the Choctaw-Chickasaw country prior to June twenty-eighth, eighteen hundred and ninety-eight, shall be deemed to be Mississippi Choctaws, entitled to benefits under article fourteen of the said treaty of September twenty-seventh, eighteen hundred and thirty, and to identification as such by said Commission, but this direction or provision shall be deemed to be only a rule of evidence and shall not be invoked by or operate to the advantage of any applicant who is not a Mississippi Choctaw of the full blood, or who is not the descendant of a Mississippi Choctaw who received a patent to land under said treaty, or who is otherwise barred from the right of citizenship in the Choctaw Nation, all of said Mississippi Choctaws so enrolled by said Commission shall be upon a separate roll."

It is, therefore, the opinion of this Commission that George Tookolo should be identified as a Mississippi Choctaw, and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES


Acting Chairman

Commissioner

C. A. Bucknidge
Commissioner

Looked, Indian Territory

FEB 14 1903

M.C.R. 200.

COPY.

Muskogee, Indian Territory, February 21, 1903.

Mansfield, McMurray & Cornish,

Attorneys for the Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:

Enclosed herewith you will find a copy of the decision of the Commission rendered February 14, 1903, identifying George Tookolo as a Mississippi Choctaw Indian under the provisions of the forty-first section of the act of Congress approved July 1, 1902, (32 Stats., 641).

You are hereby advised that you will be allowed fifteen days from the date hereof, in which to file with this Commission such protest as you desire to make against the action of the Commission in identifying the said George Tookolo as a Mississippi Choctaw, and make satisfactory proof of service of said protest upon the applicant herein.

If you fail to file such protest within the time allowed, the name of the applicant herein will be placed upon the schedule of duly identified Mississippi Choctaws now being prepared by this Commission.

Respectfully,

Tame Dixie
Acting Chairman.

Registered.

Enc. MT. 69

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COPY,

M.C.R. 2001

Muskogee, Indian Territory, March 11, 1903.

George Tookolo,

Philadelphia, Mississippi.

Dear Sir:

Enclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered February 14, 1903, identifying you as a Mississippi Choctaw Indian under the provisions of Section 41 of the Act of Congress approved July 1, 1902, (32 Stats., 641).

If you remove to the Choctaw-Chickasaw country, Indian Territory, before August 14, 1903, you will have six months from that date, or until February 14, 1904, within which to make proof of such removal and settlement at the office of the Commission at Atoka, Choctaw Nation, or Tishomingo, Chickasaw Nation.

Respectfully,

Tams Birby.

(SIGNED)

Chairman.

Registered.

Enc. 2001.

705

No

For Identification as a Mississippi Choctaw.

Date May 2, 1901

Name George Tookala

Age 22 - Blood full

Post Office, Philadelphia, Miss.

Father: Billy Tookala ^{full blood} d.

Mother: ~~Wm~~ Sealy " full blood l

Claims through both parents -
claims for self alone.

~~Children~~

Stenographer A. S. Streit.

11/11/11



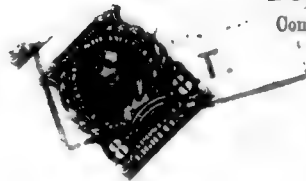
DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED

MAY 11 1903

A handwritten signature, possibly "H. R. H.", in dark ink.

CHAIRMAN



Department of the Interior.

Commission to the Five Civilized Tribes,

MUSKOGEE, IND. TER.

OFFICIAL BUSINESS.

Penalty for private use, \$300.

George Tookolo,

~~Philadelphia~~, Mississippi.

Muskogee
Ind Ter

4635



George Tookolo.

COPY OF DECISION FORWARDED
APPLICANT

MAY 11 1903

Choctaw MCR 2002

Jesse Billey

MCR 2002

DEPARTMENT OF THE INTERIOR.

COMMISSION TO THE FIVE CIVILIZED TRIBES

In the matter of the application of Jesse Billey, et al., for identification as Mississippi Choctaws, M.C.R. 2002.

I N D E X

	Page
Original application of Jesse Billey, et al., to the Dawes Commission for identification as Mississippi Choctaws	1
Decision of the Commission identifying Jesse Billey et al., as Mississippi Choctaws	4

2082

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Philadelphia, Mississippi, May 2nd, 1901.

In the matter of the application of Jesse Billey for the identification of himself and two minor children as Mississippi Choctaws.

Jesse Billey, having been first duly sworn, upon his oath testifies as follows:

Examination by the Commission:

- Q What is your name? A Jesse Billey.
- Q What is your age? A About forty.
- Q What is your post office address? A Philadelphia, Mississippi.
- Q How long have you lived in Mississippi? A I have been lived here long time---all the time.
- ✓ Q Is your father living? A No, dead long time.
- ✓ Q What was his name? A His name Billey.
- Q Didn't have any other name? A Just called it just Billey.
- ✓ Q Was your father a full blood Choctaw? A Yes.
- Q Did he live in Mississippi? A Yes.
- ✓ Q Is your mother living? A No, dead long time.
- ✓ Q What was her name? A Betsey.
- ✓ Q Was she a full blood Choctaw? A Yes.
- Q Did she always live in Mississippi? A Yes.
- ✓ Q You claim to be a full blood Choctaw, do you? A Yes.
- Q Have all of your fore fathers always lived in Mississippi? A Yes.
- Q Were either of your parents ever recognized in any manner or enrolled as members of the Choctaw tribe of Indians out in the Indian Territory, by the Choctaw tribal authorities or by the United States authorities? A I don't know.
- Q Are you married? A No, been married---wife dead long time.
- ✓ Q What was your wife's name? A Amy.
- Q When did she die? A About six years ago.
- ✓ Q Was she a full blood Choctaw? A Yes.
- Q Have you any children unmarried and under twenty one years of age? A Yes, two.
- Q What are their names and ages? A John Almon and Lewis.
- Q How old is John Almon? A Eighteen.
- Q How old is Lewis? A Thirteen.
- Q Is that all? A Yes.
- ✓ Q Are you the father of these two children? A Yes.
- ✓ Q What is the name of their mother? A Her name Amy.
- ✓ Q These boys are both full blood Choctaws? A Yes.
- Q This application then is made for yourself and these two minor sons? A Yes.
- Q Were you married to Amy under a license or according to Choctaw customs? A Choctaw custom.
- Q How long did you live together as man and wife? A About twenty years.
- Q Is your name on any of the tribal rolls of the Choctaw Nation in the Indian Territory? A I don't know.
- Q Are the names of your two children on those rolls? A I don't know.
- Q Did you ever make application to the Choctaw tribal authorities for yourself or these two children for enrollment as citizens of the Choctaw Nation? A I don't know.
- Q Did you or anyone for you in 1896 make application to the Commission to the Five Civilized Tribes for citizenship in the Choctaw Nation for yourself or either of these two children? A No.
- Q Have you or either of these two children ever been admitted to citizenship in the Choctaw Nation in the Indian Territory by the Choctaw tribal authorities, by this Commission, or by the United States Court for the Indian Territory? A Don't know.
- Q Have you ever made application prior to this time to either the Choctaw tribal authorities or to the Commission to the Five Civilized Tribes to be enrolled or admitted to citizenship in the Choctaw

Jesse Billey---2.

Nation? A I don't know.

Q Didn't you make an application at Philadelphia two years ago?

A Yes, that is right.

Q Is that application which you made two years ago the only application you have ever made prior to this time? A Yes.

The records of the Commission show that on January 31, 1899, applicant, Jesse Billey, appeared before the Commission at Philadelphia, Mississippi, and made application for the identification of himself and his three minor children, John Almon, Agnes and Lewis, as Mississippi Choctaws, their names appearing upon Mississippi Choctaw Card Field No. 235. The names of these parties also appear upon page 66 of the schedule of Mississippi Choctaws which accompanied the Report of March 10, 1899, ~~in it~~ of the Commission to the Five Civilized Tribes to the Secretary of the Interior as to the identity of Choctaw Indians residing in Mississippi claiming rights in the Choctaw lands under the fourteenth article of the treaty of Dancing Rabbit Creek, being Nos. 809, 810, 811 and 812 respectively thereon.

Q At the time you applied two years ago, you applied for a daughter by name of Agnes did you not? A Yes.

Q Is Agnes married? A Yes.

Q Whom did she marry? A Jim Polk Stephen.

Q Is it now your purpose to make application or the identification of yourself and these two children as Mississippi Choctaws? A Yes.

Q Do you claim your rights under the provisions of the fourteenth article of the treaty of 1830? A Yes.

Q Have you ever received any benefits as a Choctaw Indian? A No.

Q Did any of your forefathers ever receive any benefits? A I don't know.

Q Did your wife ever receive any benefits as a Choctaw during her lifetime? A I don't know.

Q Did any of your wife's fore-fathers ever receive any benefits as Choctaws during their lives? A I don't know.

Q Were any of your forefathers living in the old Choctaw Nation here in Mississippi and Alabama in the year 1830 when the treaty of Dancing Rabbit Creek was made between the United States government and the Choctaw Indians? A I don't know.

Q Were any of your ancestors or fore-fathers acknowledged members of the Choctaw tribe at that time? A I don't know.

Q Were any of your wife's fore-fathers living here in 1830 when the treaty of Dancing Rabbit Creek was made? A I don't know.

Q Were any of your wife's forefathers acknowledged members of the Choctaw tribe of Indians at that time? A I don't know.

Q Did any of your forefathers or any of your wife's forefathers remove from the old Choctaw Nation in Mississippi and Alabama to the present Choctaw Nation in the Indian Territory when the greater part of the Choctaw Indians moved out there between the years 1833 and 1838? A I don't know.

Q Did any of your forefathers or any of your wife's forefathers within six months after the treaty of Dancing Rabbit Creek was ratified signify to the United States Indian Agent for the Choctaw Indians here in Mississippi their intention to remain here in Mississippi and become citizens of the states? A I don't know.

Q Have you or any of your forefathers or any of your wife's forefathers ever claimed or received any land in Mississippi under the provisions of the fourteenth article of the treaty of Dancing Rabbit Creek? A I don't know.

Q Do you know the names of your grand parents? A No.

Jesse Riley---3.

Q Are there any further statements you want to make at this time in support of your application? A No.

Q Have you any documentary evidence, affidavits, written testimony of any description, copies of records, deeds or patents, or any other proper papers showing that any of your forefathers or any of your wife's forefathers were recognized members of the Choctaw Tribe of Indians in 1830 when the treaty of Dancing Rabbit Creek was made or that any of them complied or attempted to comply with the provisions of the fourteenth article of the treaty or ever received any benefits thereunder? A No.

This applicant has every appearance and characteristic of a full blood Choctaw Indian; he speaks both English and Choctaw languages.

The decision of the Commission as to this application for the identification of yourself and two minor children as Mississippi Choctaws will be determined at the earliest possible date and a report of the same made to the Secretary of the Interior conformable to the provisions of the twenty first section of the act of Congress of June 28, 1898, and a copy of the same will be mailed to you at your post office address as given in your testimony.

H.C.Risteen, having been first duly sworn upon his oath states: That as stenographer to the Commission to the Five Civilized Tribes he reported in full all proceedings had in the above entitled cause on the 2nd day of May, 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes of said proceedings on said date.

H.C. Risteen

Philadelphia,

Subscribed and sworn to before me at ~~Madison~~, Mississippi, this 3rd day of May, 1901.

Howell I. Quinn

Justice of the Peace in and
for District No. 1, Neshoba
County, Mississippi.

Cow

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

In the matter of the application of Jesse Billey, et al.,
for identification as Mississippi Choctaws, M.C.R. 2002.

-----D E C I S I O N -----

It appears from the record herein that application for identification as Mississippi Choctaws was made to this Commission on May 2, 1901, by Jesse Billey for himself and his two minor children, John Almon and Lewis Billey, under the following provision of the act of Congress approved June 28, 1898 (30 Stats. 495):

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto and make report to the Secretary of the Interior."

From the evidence submitted in support of said application it appears that all the applicants are full blood Mississippi Choctaw Indians.

Section forty-one of the act of Congress entitled "An Act to ratify and confirm an agreement with the Choctaw and Chickasaw tribes of Indians, and for other purposes" approved July 1, 1902,

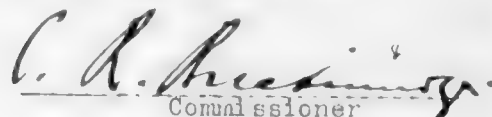
(32 Stats. 641) and ratified by the Choctaw and Chickasaw Nations September 25, 1902, provides as follows:

"The application of no person for identification as a Mississippi Choctaw shall be received by said Commission after six months subsequent to the date of the final ratification of this agreement and in the disposition of such applications all full-blood Mississippi Choctaw Indians and the descendants of any Mississippi Choctaw Indians whether of full or mixed blood who received a patent to land under the said fourteenth article of the said treaty of eighteen hundred and thirty who had not moved to or made bona fide settlement in the Choctaw-Chickasaw country prior to June twenty-eighth, eighteen hundred and ninety-eight, shall be deemed to be Mississippi Choctaws, entitled to benefits under article fourteen of the said treaty of September twenty-seventh, eighteen hundred and thirty, and to identification as such by said Commission, but this direction or provision shall be deemed to be only a rule of evidence and shall not be invoked by or operate to the advantage of any applicant who is not a Mississippi Choctaw of the full blood, or who is not the descendant of a Mississippi Choctaw who received a patent to land under said treaty, or who is otherwise barred from the right of citizenship in the Choctaw Nation, all of said Mississippi Choctaws so enrolled by said Commission shall be upon a separate roll."

It is, therefore, the opinion of this Commission that Jesse Billey, John Almon Billey and Lewis Billey should be identified as Mississippi Choctaws, and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES


Acting Chairman
Commissioner


Commissioner

Muskogee, Indian Territory

JUL 8 1903



M C R 2002

Muskogee, Indian Territory, July 3, 1903.

Jesse Billey,
Calloway, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of June 6, 1903, in which you ask if you have been identified as a Mississippi Choctaw.

In reply you are informed that it appears from our records that you made application to this Commission for the identification of yourself and two minor children as Mississippi Choctaws. Up to the present time the Commission has not rendered any opinion relative to your right to such identification. As soon as a decision is rendered you will be duly notified of the action of the Commission.

Respectfully,

Commissioner in Charge.

M.C.R. 2002.

COPY.

Muskogee, Indian Territory, July 8, 1903.

Jesse Billey,
Callaway, Indian Territory.

Dear Sir:

Enclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered July 8, 1903, identifying yourself and your two minor children, John Almon Billey and Lewis Billey, as Mississippi Choctaw Indians under the provisions of Section 41 of the Act of Congress approved July 1, 1902, (32 Stats., 641).

If you remove to the Choctaw-Chickasaw country, Indian Territory, before January 8, 1904, you will have six months from that date, or until July 8, 1904, within which to make proof of such removal and settlement at the office of the Commission at Atoka, Choctaw Nation, or Tishomingo, Chickasaw Nation.

Respectfully,

(SIGNED)

T. B. Needles.

Commissioner in Charge.

Registered.

Enc. 2002.

M.C.R. 2002.

COPY.

Muskogee, Indian Territory, July 8, 1903.

Mansfield, McMurray & Cornish,
Attorneys for Choctaw and Chickasaw Nations,
South McAlester, Indian Territory.

Gentlemen:

Enclosed herewith you will find a copy of the decision of the Commission, rendered July 8, 1903, identifying Jesse Billey and his two minor children, John Almon Billey and Lewis Billey, as Mississippi Choctaw Indians under the provisions of the forty-first section of the Act of Congress approved July 1, 1902, (32 Stats., 641).

You are hereby advised that you will be allowed fifteen days from the date hereof in which to file with this Commission such protest as you desire to make against the action of the Commission in identifying the said Jesse Billey and his two minor children, John Almon Billey and Lewis Billey as Mississippi Choctaws and make satisfactory proof of service of said protest upon the applicants herein.

If you fail to file such protest within the time allowed, the names of the applicants herein will be placed upon the schedule of duly identified Mississippi Choctaws now being prepared by this Commission.

Respectfully,

(SIGNED)

T. B. Needles.

Commissioner in Charge.

Registered.

Enc. M.C.R. 2002.

M C R 2002

Muskogee, Indian Territory, April 4, 1905.

John Almon Billey,

Calloway, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of the application for the enrollment of Hampton Billey, infant son of John Almon and Sis Billey, as a citizen of the Choctaw Nation; said child being born July 31, 1904.

Respectfully,

Commissioner in Charge.

For Identification as a Mississippi Choctaw.

Date MAY 9 1901

Name J. C. B. B. B.

Age 110 Blood 1/2

Post Office, Thundershook

Father: B. B. B. (d. a.)

Mother: B. B. B. "

Claims through

Wife Clara B. B. (d. a.)

Sister B. B. B. "

Sister B. B. B. (d. a.)

Children

John B. B. 18

L. B. B. 13

(Claims for himself "a. 2")

(minor children)

Stenographer

J. C. B. B.

Jesse Billey et al

Choctaw MCR 2003

Moseley Morris

MCR 2003

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

-oOo-

In the matter of the application of Mosely Morris, et al.,
for identification as Mississippi Choctaws.

-oOo-

Herein is the record in the matter of the application of
Mosely Morris, et al., for identification as Mississippi
Choctaws, M.C.R. 2003.

-oOo-

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

-oOo-

In the matter of the application of Mosely Morris, et al.,
for identification as Mississippi Choctaws, M.C.R. 2003.

--: I N D E X :--

	(Page)
Original application of Mosely Morris, et al., to the Dawes Commission for identification as Mississippi Choctaws-----	1
Testimony of Watson Morris-----	4
Decision of the Commission identifying Ida Morris as a Mississippi Choctaws Indian-----	12.

-oOo-

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Philadelphia, Mississippi, May 2, 1901.

In the matter of the application of Mosely Morris for the identification of himself, his wife and two minor children as Mississippi Choctaws.

Mosely Morris, having been first duly sworn, upon his oath testifies as follows:

Examination by the Commission:

- Q What is your name? A Mosely Morris.
Q What is your age? A I will be thirty three next October.
Q What is your post office address? A Aden, Mississippi.
Q What county? A Neshoba.
Q How long have you lived in Mississippi? A All the time.
Q All your life? A Yes.
Q Is your father living? A Yes.
Q What is his name? A Watson Morris.
Q Is he a full blood Choctaw? A Yes.
Q Is your mother living? A No.
Q What was her name? A Roseanna.
Q When did she die? A Four years last March.
Q Was she a full blood Choctaw? A Yes.
Q Did she live in Mississippi all her life? A Yes.
Q Has your father lived in Mississippi all his life? A Yes.
Q Have your forefathers lived here as far as you know always? A Yes.
Q Do you know the name of your father's father? A No.
Q Or your father's mother? A No.
Q Do you know the name of your mother's father? A Yes.
Q What is it? A Robin Bell.
Q Do you know the name of your mother's mother? A No.
Q You claim to be a full blood Choctaw do you? A Yes.
Q Was your father or mother ever recognized in any manner or enrolled as members of the Choctaw tribe of Indians out in the Indian Territory by the Choctaw authorities out there or the United States authorities? A No, I don't know.
Q Were either of them ever enrolled out there as members of the tribe, do you know? A No.
Q Are you married? A Yes.
Q Is your wife living? A Yes.
Q What is her name? A Ida.
Q Is your wife living? A full blood Choctaw? A Yes.
Q What is her age? A Twenty three.
Q Are you living with your wife at the present time? A Yes.
Q Were you married to her under a license or according to Choctaw custom? A According to Choctaw custom.
Q Is your wife's father living? A No.
Q What was his name? A Charley Wilson.
Q Was he a full blood Choctaw? A Yes.
Q Did he live in Mississippi all his life? A Yes.
Q Is your wife's mother living? A No sir.
Q What was her name? A Margaret.
Q Was she a full blood Choctaw? A Yes.
Q Did she live in Mississippi all her life? A Yes.
Q Were either of your wife's parents ever recognized or enrolled by the Choctaw officers out in the Indian Territory or by the United States authorities? A No sir.
Q Have you any children? A Yes, two.
Q What are their names and ages? A Lillie.

Mosely Morris---2.

- Q How old is Lillie? A Five years old next 12th of October.
Q What is the other child's name? A Dempsey.
Q How old is Dempsey? A Two years old next October.
Q You are the father of these children? A Yes.
Q What is the name of their mother? A Ida.
Q This application is for yourself, your wife and two children? A Yes.
Q Is your name or your wife's name to be found upon any of the tribal rolls of the Choctaw Nation in the Indian Territory? A I don't know.
Q Did you ever apply to the Choctaw tribal authorities out in the Indian Territory to have your name or your wife's name enrolled as members of the Choctaw tribe out there? A I don't know.
Q You do not remember ever having made such an application? A No.
Q Did you or any one for you in 1896 make application to the Commission to the Five Civilized Tribes for citizenship in the Choctaw Nation--for yourself or your wife? A No.
Q Have you or your wife ever been admitted to citizenship out in the Choctaw Nation in the Indian Territory by the United States Court the Commission to the Five Civilized Tribes or by the Choctaw authorities? A No, I have not.
Q Did you ever apply to the Choctaw authorities or to the United States authorities before today to be enrolled or admitted to citizenship in the Choctaw Nation? A No.
Q Didn't you make application two years ago? A No.
Q Didn't any one make application for you? A No.
Q The records of the Commission show that you appeared here on February 2nd, 1899, and you stated then that you were twenty seven years old and a full blood Choctaw, and your wife was named Ida, twenty six and you had one child, Lillie, two years old? A I may have been here.

The records of the Commission show that on February 2, 1899, this applicant, Mosely Morris, appeared before the Commission at Philadelphia, Mississippi, and made application for the identification of himself, his wife, Ida, and minor child, Lillie Morris, as Mississippi Choctaws, their names appearing upon Mississippi Choctaw Card Field No. 135; the names of these persons also appear upon page 52 of the schedule of Mississippi Choctaws which accompanied the report of the Commission of March 10, 1899, to the Secretary of the Interior as to the identity of Choctaw Indians residing in Mississippi claiming rights in the Choctaw lands under the provisions of the fourteenth article of the treaty of Dancing Rabbit Creek, being Nos. 481/ 482 and 483 respectively thereon.

- Q This appearance before the Commission two years ago at Philadelphia is the only time you have made application of any kind? A Yes.
Q You now want to make application for the identification of yourself, your wife and two children as Mississippi Choctaws? A Yes.
Q Do you want to claim your rights under the provisions of the fourteenth article of the treaty of Dancing Rabbit Creek? A Yes.
Q Have you ever received any benefits as a Choctaw Indian? A No.
Q Has your wife ever received any benefits as a Choctaw Indian? A No.
Q Have any of your forefathers or your wife's forefathers ever received any benefits as Choctaw Indians? A I don't know.
Q Were any of your forefathers or ancestors living in the old Choctaw Nation in Mississippi and Alabama in 1830 when the treaty of Dancing Rabbit Creek was made? A I don't know.
Q Do you know whether any of your forefathers or ancestors were at that time recognized as members of the Choctaw tribe of Indians?

Mosely Morris---3.

A I don't know.

Q Were any of your wife's forefathers living here in Mississippi and Alabama in 1830 when the treaty of Dancing Rabbit Creek was made?

A I don't know.

Q Were any of your wife's ancestors or forefathers recognized members of the Choctaw tribe at that time? A I don't know.

Q Did any of your forefathers move from the old Choctaw Nation in Mississippi out west to the new Choctaw Nation when the main body of the tribe moved out there in the early thirties? A No sir.

Q They stayed here in Mississippi? A Yes.

Q Is the same true as to your wife's ancestors? A Yes.

Q Do you know whether any of your ancestors who might have been living here in 1830 within six months after the treaty of Dancing Rabbit Creek was ratified ~~and~~ signified to the United States Indian Agent for the Choctaws here in Mississippi their intention to remain in Mississippi and become citizens of the states? A I don't know.

Q Do you know whether any of your wife's ancestors so signified their intention? A No sir.

Q Did any of your ancestors or any of your wife's ancestors ever claim or receive any land in Mississippi under the provisions of the fourteenth article of the treaty of 1830 or treaty of Dancing Rabbit Creek? A No sir.

Q Are there any additional statements in regard to your case you want to make at this time? A No sir.

Q Have you any documentary evidence, affidavits, written testimony or any description, copies of records, deeds or patents or any other proper papers showing that any of your ancestors or any of your wife's ancestors were in the year 1830 when the treaty of Dancing Rabbit Creek was made recognized members of the Choctaw tribe of Indians or that any of them complied or attempted to comply with the provisions of the fourteenth article of that treaty or ever received any benefits thereunder? A No sir.

This applicant has every appearance and characteristic of a full blood Indian. He speaks the Choctaw language and broken English.

The decision of the Commission as to the application made by you at this time for the identification of yourself, your wife and two minor children as Mississippi Choctaws will be determined at the earliest possible date and a report of the same made to the Secretary of the Interior conformable to the provisions of the twenty first section of the act of Congress of June 28, 1898, and a copy of the same will be mailed to you at your post office address as given in your testimony.

H.C.Risteen, having been first duly sworn, upon his oath states: That as stenographer to the Commission to the Five Civilized Tribes he reported in full all proceedings had in the above entitled cause on the 2nd day of May, 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes of said proceedings on said date.

Subscribed and sworn to before me at Meridian, Mississippi, this 13th day of May, 1901.

H.C.Risteen
[Signature]
Notary Public.

2732

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
Seale, Mississippi, March 22nd, 1902.

In the matter of the application of Watson Marris for the identification of himself and three minor children, Nellie, Seward and Boston, as Mississippi Choctaws.

Said Watson Marris, being first duly sworn, testified as follows:-
(Oscar Billey, official interpreter)

Examination by the Commission.

- Q What's your name? A Watson Marris.
Q How old are you? A Fifty-three.
Q How much Choctaw blood have you? A Half.
Q What's your postoffice address? A Rest, Neshoba County, Mississippi.
Q Do you live in Neshoba? A Yes.
Q How long have you lived in Neshoba County? A All my life.
Q Is your father living? A No sir.
Q What was his name? A Jim Marris.
Q Did he have any Choctaw blood? A No sir, he was a white man.
Q Is your mother living? A No sir, she died about twelve years ago.
Q What was her name? A Sallie.
Q Was she a full blood Choctaw? A Yes sir.
Q Did she have a Choctaw name? A Yes, she had a Choctaw name too.
Q What was the Choctaw name? A Pil-e-tah-ho-nah.
Q Did she live in this State all her life? A Yes, in Neshoba all her life.
Q How old would she be if she were living now? A About seventy-five years old.
Q Do you know the name of her father or her mother? A I ~~stank~~ know her father but I don't know her mother.
Q What was her father's name? A Ah-to-ble-cha.
Q How long has he been dead? A He been dead about thirty-seven years ago-just directly after the surrender.
Q He was a full blood Choctaw? A Yes.
Q Did he always live here in Mississippi? A Yes, his grave is about two or three miles from here.
Q Are you married? A Yes.
Q Is your wife living? A Yes.
Q Has she any Choctaw blood? A No, she's white.
Q Have you been married more than once? A Twice.
Q What was your first wife's name? A Rosanna.
Q Was she a full blood Choctaw? A Yes, her father was a half breed - he was half white.
Q And her mother was a full blood? A Yes.
Q Your first wife was three quarters, then? A Yes.
Q Did you have any children by her? A Yes.
Q How many? A Six living now.
Q Have you any children by your present wife? A Yes, two children.
Q What are the names of your children who are under 21 years of age and unmarried? A Nellie.
Q How old is she? A About seventeen.
Q What's the next one? A Seward.

- Q About how old is he? A Little over three years old now--three years last October.
- Q Next one? A Boston.
- Q How old is he? A About thirteen months.
- Q Are all three of these children living with you at this time?
- A Yes.
- Q What's the name of Nellie's mother? A Rosanna.
- Q How long has she been dead? A About eight years.
- Q Was she older or younger than you? A Older than I am--about five years older.
- Q Did she have a Choctaw name? A No.
- Q Do you know the name of her father and mother? A Yes sir.
- Q What was her father's name? A Robert Bell.
- Q He was one-half white and one-half Choctaw? A Yes.
- Q How long has he been dead? A About twenty years ago.
- Q Did he have a Choctaw name? A No.
- Q What was the name of Rosanna's mother? A Susie.
- Q Was she a full blood Choctaw? A Yes.
- Q Did she have a Choctaw name? A No sir.
- Q Did she and Robert live here in Mississippi all their lives?
- A Yes sir.
- Q Do you know the name of any one of your first wife's grandparents? A No sir, I don't know.
- Q What's the name of the mother of Seward and Boston? A Sallie.
- Q She's a full blood white woman? A Yes.
- Q Were you married to Sallie under a license? A yes sir.
- Q Where did you get your license? A in Philadelphia.
- Q Who married you? A John Lampkin.
- Q A justice of the peace? A Yes sir.
- Q Where were you married? A We married at my house.
- Q When were you married to her? A Five years last January--the 17th of January.
- Q You have lived together since then as husband and wife, have you?
- A Yes.
- Q Were you married to your first wife under a license or according to the Choctaw custom? A Choctaw custom.
- Q How long did you live with her? A We lived together about thirty years before she died.
- Q This application, then, is for yourself and three minor children, is that right? A Yes.
- Q You have no other children living with you at home there? A No.
- Q Is your name or the name of any one of your children on any of the Choctaw Tribal rolls in Indian territory? A No sir.
- Q Has any application of any description ever been made before today for you or any one of these children for the purpose of establishing your rights as Choctaw Indians? A Yes sir, three years ago at Philadelphia.

The records of the Commission show that on the 31st day of January, 1899, application was made to the Commission at Philadelphia, Mississippi, for the identification of this applicant and his minor children, Nelly and Seward, as Mississippi Choctaws, their names appearing upon Mississippi Choctaw card Field No. 227, also upon page 64 of the schedule of Mississippi Choctaws annexed to the report of the

Watson Harris et al--3

Commission to the Five Civilized Tribes to the Secretary of the Interior of March 10, 1899, being numbers 780, 781, & 782 respectively thereon.

Q Is this application made for you and your children three years ago at Philadelphia, Mississippi, the only application of any description that has ever been made for any of you? A Yes sir.

Q Do you appear before the Commission at this time for the purpose of claiming rights in the Choctaw lands in Indian Territory for yourself and three minor children under the provisions of article 14 of the treaty of Dancing Rabbit Creek? A Yes.

Q Do you understand that 14th article? A No sir.

The treaty of Dancing Rabbit Creek was entered into here in Mississippi on the 27th day of September, 1830, between the United States Government and the Choctaw Tribe of Indians. At the time this treaty was made the Choctaws lived here in Mississippi and along the western edge of the State of Alabama. The object of this treaty was to get these Indians to move from the country occupied by them here in Mississippi and Alabama to a new country west of the Mississippi River, part of which is now occupied by the greater portion of the Choctaw Tribe of Indians and is commonly known as the Choctaw Nation Indian Territory. At the time the treaty was made some of the Indians were unwilling to leave this country and for the benefit of those who wanted to stay here what is known as the 14th article was put in the treaty. That 14th article provided that upon certain conditions a Choctaw who wanted to stay here in Mississippi and not move out to the new country, might receive land here in Mississippi from the Government of the United States. It is as follows:-

"Each Choctaw head of a family being desirous to remain and become a citizen of the States shall be permitted to do so by signifying his intention to the Agent within six months from the ratification of this treaty and he or she shall thereupon be entitled to a reservation of one section of six hundred and forty acres of land to be bounded by sectional lines of survey; in like manner shall be entitled to one half that quantity for each unmarried child which is living with him over ten years of age; and a quarter section for such child as may be under ten years of age, to adjoin the location of the parent. If they reside upon said land, intending to become citizens of the States, for five years after the ratification of this treaty, in that case a grant in fee simple shall issue; said reservation shall include the present improvement of the head of the family or a portion of it. Persons who claim under this article shall not lose the privilege of a Choctaw citizen but if they ever remove are not to be entitled to any portion of the Choctaw annuity."

- Q Do you understand that 14th article thoroughly now? A Yes.
- Q Did any of your ancestors or any of the ancestors of your first wife ever comply or attempt to comply with its provisions or ever receive any benefits under that article? A I don't know--My grandpa lived here until he died but he never did tell me anything about the lands or anything else. My mother's sister went to the Territory and brought some money here but I don't know how much she got.
- Q What was your mother's sister's name? A Ok-le-mo-nah.
- Q Do you remember the names of any other of your mother's sisters? A No sir, only her.
- Q She had some other sisters, did she, your mother? A I don't know.
- Q When was it that she went out to the Territory? A About fifty years ago I think, when I was a little boy.
- Q Your mother never went out there? A No sir.
- Q Do you know the name of your mother's mother? A No sir, I can't think of it.
- Q Would you know it if you were to hear it called? A Yes sir, I think so.
- Q Was it Ah-to-ble-cha? A That was my grandfather.
- Q Your mother's father? A Yes sir.
- Q Did you ever hear of your mother's father, or your mother's sister or your mother getting any land here in Mississippi from the Government? A No.
- Q You never heard of their getting any land from the Government, you are sure? A No.

Under this 14th article of the treaty of Dancing Rabbit Creek the Government of the United States directed an Agent here in Mississippi to register the names of such Choctaws as wanted to stay here and take land and not move out to the new nation. The records of the Government show that this Agent failed to register and report to the Government the names of many Indians who did in fact let him know that they wanted to stay here and become citizens of the States and take land and on this account the Government, at its public land sales here in Mississippi in many instances sold land upon which Choctaws lived and had improvements and which they supposed they would receive under article 14 of the treaty. This caused a great deal of complaint among the Indians and the matter was finally brought to the attention of Congress and Congress passed certain acts between the years 1837 and 1842 providing for the appointment of Commissioners to come down here to Mississippi and hear the cases of Choctaws who claimed that they had complied in all respects with the provisions of the 14th article of the treaty of Dancing Rabbit Creek but that their land had been sold by the Government. These Commissioners were appointed and they came down here to Mississippi between the years 1837 and 1845--that was just a few years before you were born--and heard a great many of these Choctaw cases. They held sessions here in Neshoba and other counties and the Indians came from all around.

Watson Marris et al--5

Q Do you know whether your father or your mother or her father or any of your mother's sisters appeared before any of these Commissioners and attempted to establish their rights under the 14th article of the treaty of Dancing Rabbit Creek? A Yes, I reckon they did--my mother gave in my name--I was a little boy then but I heard them say they went before the Commission and gave in their names. My mother told me that she put in my name too at that time. I was a little baby then.

Q Don't you think you are more than 63 years old? A I don't know exactly how old I am--but that's what white people tell me.

Q What did your mother ever tell you about going before these Commissioners--tell us about that? A I don't know--she never did tell me where they went to and I just supposed maybe to Philadelphia.

Q Did she ever tell you what she went there for? A White people held session here and in getting up the Choctaw names they had a big gathering.

Q Did you ever hear her father say anything about going before the Commission long time ago? A No sir, I never heard.

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On page 586 of the record of the court of claims in case No. 12742, entitled "The Choctaw Nation of Indians vs The United States", in abstract No. 5 reported by Commissioners Tyler, Gaines and Rush, appointed under the act of Congress approved August 23, 1842, appears the case of Ah-to-ble-cha, being Commissioners' number 265, it appearing that on the 27th day of September, 1830, the day the treaty was made, he had living in his family four children over ten years of age, namely-Cun-e-ah-he-mah, Ok-le-mo-nah, No-sa-kah, and Fil-e-tah-ho-nah, that at the time the treaty was made he lived on the S.W. 1/4 of Sec. 26, T'p. 12, R. 13 East; that proof was made to said Commissioners of his signification of intention to remain and become a citizen of the States under the 14th article of the treaty and that he lived on the land covering his improvement for five years from the day the treaty was ratified--said claim was allowed by the Commissioners and scrip awarded to the claimants. The decision of the Commission in connection with this case was approved by the Secretary of War on the 23rd day of July, 1845.

Q Do you remember ever having heard of your mother having a sister by the name of Cun-ne-ah-he-mah? A Yes, I heard of such a sister but she died before I can recollect.

Q Was she older than your mother? A No, she was younger than my mother.

Q Are you sure of that? A Yes, that what my mammy say.

Q Did you ever hear of your mother having a sister by the name of No-sa-kah? A No sir.

Q You never heard your grandfather say anything about appearing before these Commissioners that I have just described here? A No sir, he never told me anything about it.

Q You never heard of his getting any scrip from the Government? A No sir, but my mammy told me something about it and say that the Commission came here and took all the Choctaw names.

Watson Harris et al--6

- Q You have told about it before in your testimony? A Yes sir.
Q Do you know of any old person living who would likely know anything more about the names of your mother's sisters than you do?
A No sir, I don't know of anyone.
Q Have you any witnesses here today? A No.
Q Have you any written evidence to offer at this time? A No.
Q Did you ever see or hear of any deed or patent or papers of any kind issued to any of your ancestors by the Government of the United States? A No sir.
Q Never did? A No.
Q Are there any further statements you want to make? A No sir.

If you should find any witnesses whose testimony you desire to have taken before the Commission they may appear before us at any one of our appointments here in Mississippi this Spring, including the one at Meridian between April 14th and April 30th next or within a reasonable time at the general office of the Commission in Muskogee, Indian Territory, and their testimony will be taken.

- Q How many children have you living who are of age or married?
A I got five.
Q What's the name of the old-est one? A Sealy Kelly, wife of Albert Kelly.
Q Albert is here today for the purpose of making an application, is he? A Yes.
Q Next one? A Betsy.
Q What's her husband's name? A John Sockey.
Q What's the next one? A Mosely Harris.
Q Is he married? A Yes.
Q What's his wife's name? A Ida.
Q Mosely has been before the Commission this year, hasn't he? A Yes sir.
Q What's the name of the next one after Mosely? A William.
Q Is he married? A Yes.
Q What's his wife's name? A Something like Ape.
Q Where do they live? A Close to where I live.
Q Is his wife a Choctaw? A No sir.
Q What's the name of the next one? A George.
Q Where does he live? A He lives in Winston County, close to Noxapater.
Q Is he married? A Yes.
Q What's his wife's name? A Forgy.
Q Is she a Choctaw? A Yes sir.
Q Full blood? A Yes.
Q Has he ever made any application of any kind to the Commission?
A No sir.
Q Have they any children? A No sir.
Q About how old is George? A About twenty-three years old, I believe.
Q About how old is Forgy? A About thirty.
Q Is she a full blood Choctaw? A Yes.
Q They are living together now? A Yes sir.

Watson Marris et al--7

- Q Does he know the Commission is here now? A No, I don't think he know it.
- Q Is that all your children? A Yes, that's all.
- Q Have you any children dead who left children? A Yes.
- Q How many children have you dead? A Four boys dead.
- Q Did any of them leave children? A No sir, die d when they were little.
- Q You have no girls dead? A No.
- Q Have you any brothers living? A Yes.
- Q How many? A Just one.
- Q What's his name? A Dibbin Marris.
- Q Is he your full brother? A Yes sir.
- Q His mother and your mother are the same? A Yes, and the same daddied.
- Q Have you any sisters living? A No sir.
- Q Did you ever have any sisters? A My mammy told me that I had two sisters but they died before I knew anything about it.
- Q They died when they were small? A Yes sir.
- Q Did you ever have any other brothers besides Dibbin? A No sir, only us two.
- Q Did your mother ever have any brothers that you know of? A I heard that--I never seen them--they went to the Territory long ago.
- Q You don't know the names of any of them? A No sir, I don't know the names. My mammy told me that two of tem went to the Territory.
- Q They moved there when the Indians went there many years ago? A Yes sir.
- Q Are any of your mother's sisters' children living? A No sir, they all dead, but their grandchildren are living.
- Q What are their names? A Simmie--she lives about a mile or two from here.
- Q What's her other name? A Simmie Ellis, wife of Allen Ellis, a full blood who lives here in Meshoba.
- Q What was her mother's name? A Her Choctaw name was Ok-le-mo-nah.
- Q Has Simmie any brothers or sisters living? A One brother living.
- Q What's his name? A Allison Thompson.
- Q Has he been before the Commission? A Yes sir, he appeared before the Commission in Meridian.
- Q Did you ever hear him called Anderson Thompson? A No, that's the same fellow though. Some say Anderson and some say Allison. Allison is his right name.
- Q Has he a son by the name of Simon Thompson? A Yes.
- Q Has Simmie any other brothers or sisters living? A No sir.
- Q Has she any brothers or sisters dead who left children? A No sir, not that I know of.
- Q Did your mother's sister Cun-e-ah-he-nah leave any children? A No sir.

This applicant has the appearance of being possessed of as much Indian blood as is claimed by him. He speaks and understands the Choctaw language, also speaks and understands English fairly well, the examination having been conducted partially in English and partially through 14) a sworn Choctaw Interpreter. The habits and customs of

Watson Harris et al--8

the applicant are those of a full blood Indian and he associates almost entirely with the Indians.

Ira S. Niles, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes he reported in full all proceedings had in the above entitled cause, heard at Seale, Mississippi, March 22nd, 1902, and that the above and foregoing is a full, true and correct transcript of his stenographic notes taken in said proceedings on said date.

Ira S. Niles
Subscribed and sworn to before me this the 1st day of April, 1902,
at Seale, Mississippi.

L. B. Mosley
Clerk U. S. Circuit Court, South-
ern District of Mississippi.

By *[Signature]*

Deputy.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.

-oOo-

In the matter of the application of Mosely Morris, et al.,
for identification as Mississippi Choctaws, M.C.R. 2003.

---: D E C I S I O N :---

It appears from the record herein that application for identification as Mississippi Choctaws was made to this Commission on May 2, 1901, by Mosely Morris for himself, his wife, Ida Morris, and his two minor children, Lillie and Dempsey Morris, under the following provision of the act of Congress approved June 28, 1898 (30 Stats., 495):

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses, and perform all other acts necessary thereto and make report to the Secretary of the Interior."

From the evidence submitted in support of said application it appears that Ida Morris is a full-blood Mississippi Choctaw Indian. All the other applicants are mixed-blood Choctaws, and whatever rights as Mississippi Choctaws they may possess by reason thereof will be determined at a later date.

Section forty-one of the act of Congress entitled "An Act to ratify and confirm an agreement with the Choctaw and Chickasaw

(2)

tribes of Indians, and for other purposes," approved July 1, 1902, (32 Stats., 641), and ratified by the Choctaw and Chickasaw Nations September 25, 1902, provides as follows:

"The application of no person for identification as Mississippi Choctaws shall be received by said Commission after six months subsequent to the date of the final ratification of this agreement and in the disposition of such applications all full-blood Mississippi Choctaw Indians and the descendants of any Mississippi Choctaw Indians whether of full or mixed blood who received a patent to land under the said fourteenth article of the said treaty of eighteen hundred and thirty who had not moved to and made bona fide settlement in the Choctaw-Chickasaw country prior to June twenty-eighth, eighteen hundred and ninety-eight, shall be deemed to be Mississippi Choctaws, entitled to benefits under article fourteen of the said treaty of September twenty-seventh, eighteen hundred and thirty, and to identification as such by said Commission, but this direction or provision shall be deemed to be only a rule of evidence and shall not be invoked by or operate to the advantage of any applicant who is not a Mississippi Choctaw of the full blood or who is not the descendant of a Mississippi Choctaw who received a patent to land under said treaty, or who is otherwise barred from the right of citizenship in the Choctaw Nation, all of said Mississippi Choctaws so enrolled by said Commission shall be upon a separate roll."

It is therefore the opinion of this Commission that Ida Morris should be identified as a Mississippi Choctaw, and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.


Chairman.


Commissioner.


Commissioner.

Muskogee, Indian Territory,

Commissioner.

Ardmore, I. T. February 18, 1903.

To the Commission to the Five Civilized Tribes,

Muskogee, Indian Territory.

You will please deliver to J. G. Ralls, of Atoka, Indian Territory any copies of the records in my case that under the rule of law the Commission may give out to attorneys, as I have employed him to assist me in this case.

WITNESSES TO MARK:

Hena Tippit
Joe Stuart

Moseley ^{his} Morris
mark

Moseley Morris also applied for his wife
Ida, and their four children, to wit:
Ida, Lillian, Fannie and Missie.

M C R 2003

Muskogee, Indian Territory, April 3, 1903.

J. G. Ralls,

Attorney at Law,

Atoka, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 21st ultimo, enclosing the affidavit of the mother, Ida Morris, and that of the midwife Jane Bell, relative to the birth of Missie Morris, infant child of Mosley and Ida Morris, October 15, 1902. Said affidavits have been filed with the records of the Commission.

Respectfully,

Commissioner in Charge.

M C R 2003

Muskogee, Indian Territory, September 1, 1903.

Dr. J. W. Smith,

Ardmore, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 29th ultimo, by reference from Mr. Riley, in which you ask to be advised the status of the Mississippi Choctaw application of Moseley Morris.

In reply you are informed that it appears from our records that at Philadelphia, Mississippi, on May 2, 1901, Moseley Morris made application to this Commission for the identification of himself, his wife, Ida Morris, and two minor children, Lillie and Dempsey Morris, as Mississippi Choctaws.

The Commission has not up to the present time rendered any decision relative to the right of these applicants to such identification. As soon as a decision is rendered they will be duly notified thereof.

Respectfully,

Commissioner in Charge.

M.C.R. 2003

Muskogee, Indian Territory, May 17, 1904.

Ida Morris,

Ardmore, Indian Territory,

Dear Madam:

Inclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered May 17, 1904, identifying you as a Mississippi Choctaw, under the provisions of Section 41 of the Act of Congress approved July 1, 1902 (32 Stat., 641).

Under the provisions of the law above cited, in order to avail yourself of the benefits of such identification, you must remove to and make settlement in the Choctaw-Chickasaw country, Indian Territory, on or before November 17, 1904, and must make proof of such removal and settlement on or before May 17, 1905, at the office of the Commission at Atoka, Choctaw Nation, or Tishomingo, Chickasaw Nation, Indian Territory.

Respectfully,

Chairman.

Registered.

Incl. MCR 2003.

M.C.R. 2003

Copy.

Muskogee, Indian Territory, May 17, 1904.

J. G. Ralls,

Attorney at Law,

Atoka, Indian Territory,

Dear Sir:

You are hereby notified that the Commission to the Five Civilized Tribes, on May 17, 1904, rendered its decision identifying Ida Morris as a Mississippi Choctaw, under the provisions of Section 41 of the Act of Congress approved July 1, 1902 (32 Stat., 641).

Under the provisions of the law above cited, the person so identified, in order to avail herself of the benefits of such identification, must remove to and make settlement in the Choctaw-Chickasaw country, Indian Territory, on or before November 17, 1904, and must make proof of such removal and settlement on or before May 17, 1905, at the office of the Commission at Atoka, Choctaw Nation, or Tishomingo, Chickasaw Nation, Indian Territory.

Respectfully,

(SIGNED)

James E. Blount

Chairman.

Registered.

M.C.R. 2003

COPY.

Muskogee, Indian Territory, May 17, 1904.

Mansfield, McMurray & Cornish,
Attorneys for Choctaw and Chickasaw Nations,
South McAlester, Indian Territory,

Gentlemen:

Inclosed herewith you will find a copy of the decision of this Commission, rendered May 17, 1904, identifying Ida Morris as a Mississippi Choctaw, under the provisions of Section 41 of the Act of Congress approved July 1, 1902 (32 Stat., 641).

You are hereby advised that you will be allowed fifteen days from the date hereof within which to file with this Commission such protest as you desire to make against the action of the Commission in identifying said Ida Morris as a Mississippi Choctaw, and make satisfactory proof of service of said protest upon the applicant herein. If you fail to file protest within the time allowed, her name will be placed upon the schedule of duly identified Mississippi Choctaws now being prepared by this Commission.

Respectfully,

(SIGNED)

James D. Dixey.

Chairman.

Registered.

Incl. MCR 2003.

COPY.

M.C.R. 2003

Muskogee, Indian Territory, September 27, 1904.

Mossley Morris,

Ardmore, Indian Territory,

Dear Sir:

Inclosed you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered September 27, 1904, identifying you and your children, Lillie Morris, Dempsey Morris and Missie Morris, as Mississippi Choctaws.

Under the provisions of the Act of Congress approved July 1, 1902 (32 Stat., 641), in order for you to avail yourselves of the benefits thereof you must remove to and make settlement within the Choctaw-Chickasaw country, Indian Territory on or before March 27, 1905. The Act above referred to also provides that proof of such settlement shall be made to this Commission within one year after the date of the identification of the persons herein named, as Mississippi Choctaws.

By the Act of Congress approved April 21, 1904, (Public No. 125), it is provided that the Commission shall close its work and terminate on or before the first day of July, 1905. It is, therefore, suggested that you appear before the Commission, at the Choctaw Land Office, at Atoka, Indian Territory, or the Chickasaw Land Office, at Tishomingo, Indian Territory, for the purpose of making proof of your removal to and settle-

M. M. 2

ment within the Choctaw-Chickasaw country, at the earliest practicable date.

Respectfully,

(SIGNED) *Tame Bixby.*

Chairman.

Registered.

Incl. M.C.R. 2003.

For Identification as a Mississippi Choctaw.

Date

May 10]

Name Mosley Morris

Age 32

Blood full -

Post Office, Alden, Miss.

Father: Nelson Morris P

Mother: K. Anna " (dead)

Claims through self parents.

Wife Ida Morris (surv): 3

Father: Charles Morris (dead)

Mother Margaret " "

Children.

Lillie Morris 4

Dempsey " 1

(See Miss. Ch. Co. 1854)

1854 testimony of 29)

(Claims for himself, his
wife and 2 minor children)

Stenographer

A. C. Risteen

Mouley Morris et al

DECISION RENDERED MAY 17 1964

11

COPY

APPLICANT

COPY

FOR TABLE

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NOTICE

REICAN

DECISION RENDERED.

IDENTIFIED

COPY OF DECISION FORWARDED APPLICANT

NOTICE OF DECISION FORWARDED
ATTORNEY FOR APPLICANTS.

COPY OF DECISION FORWARDED
ATTORNEY FOR APPLICANTS
CHICKA AND LA

100-1-3-4-5-749

Choctaw MCR 2004

Wiley Daniel

MCR 2004

FOR IDENTIFICATION AS
A MISSISSIPPI CHOCTAW. 2004

Wiley Daniel, et al.

REFUSED

NOTICE OF REFUSAL TO GRANT.

JUL 17 1902

NOTICE OF REFUSAL TO GRANT
ATTORNEY OR APPLICANT.

NOTICE OF REFUSAL TO GRANT
FOR CHOCTAW AND CHICKASAW NATIONS.

JUL 17 1902

RECORD FORWARDED TO PAYMENT.

ACTION

INTERIOR

AUG 22 1902

NOTICE OF REFUSAL TO GRANT ACTION
FORWARDED TO ATTORNEY.

AUG 22 1902

NOTICE OF REFUSAL TO GRANT ACTION
FORWARDED TO ATTORNEY FOR APPLICANT.

NOTICE OF REFUSAL TO GRANT ACTION
FORWARDED TO ATTORNEY FOR CHOCTAW
AND CHICKASAW NATIONS.

AUG 30 1902

REFER TO M. C. R. 2013-2012-2034-2003.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

In the matter of the application of Wiley Daniel et al.,
for identification as Mississippi Choctaws, consolidating the
applications of:

Wiley Daniel et al.,	M.C.R.	2004
Minerva Autman et al.,	M.C.R.	2032
David Daniel et al.,	M.C.R.	2033
Silas Daniel et al.,	M.C.R.	2034
William F. Ford et al.,	M.C.R.	2035

List of papers forwarded to the Secretary of the Interior,
comprising the report in the consolidated case of
Wiley Daniel et al.

(Page)

Original application of Wiley Daniel et al. before the Dawes Commission for identification as Mississippi Choctaws	1
Testimony of William Partin	5
Testimony of Robert E. McCants	6
Testimony of Marcus Speights	7
Affidavit of Jacob Magee and Isham Wilson.....	9
Affidavit of Mary Ann Magee.....	10

Affidavit of Isaac A. Broum	11
Original application of Minerva Autman et al. before the Dawes Commission for identification as Mississippi Choctaws.	12
Affidavit of Wash Wyche and Isaac Mikell	15
Original application of David Daniel et al. before the Dawes Commission for identification as Mississippi Choctaws	16
Affidavit of Wash Wyche and Isaac Mikell	19
Certified Copy of the Marriage License and Certificate of David Daniels and Roxanna Ward.....	20
Original application of Silas Daniel et al. before the Dawes Commission for identification as Mississippi Choctaws	21
Affidavit of Wash Wyche and Isaac Mikell	25
Certified copy of the Marriage Certificate of Silas Daniels and Rosa Virgil	26
Original application of William Fletcher Ford et al. before the Dawes Commission for identification as Mississippi Choctaws.....	27
Affidavit of W. F. Ford and Marcus Speights, Wiley Daniel, Silas Daniel and David Daniel.....	31
Certified copy of the Decree of Divorce in the case of W.F. Ford vs. Sarah Ford	32
Certified copy of the Marriage Certificate of W.F. Ford and E.O. McGowan.....	34
Decision of the Commission denying the consolidated appli- cation of Wiley Daniel et al. for identification as Mississippi Choctaws	35

Mr. R.B. P.O.D.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

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In the matter of the application of Wiley Daniel et al.,
for identification as Mississippi Choctaws, consolidating the
applications of-

Wiley Daniel et al.,	M.C.R.	2004
Minerva Antman et al.,	M.C.R.	2022
David Daniel et al.,	M.C.R.	2033
Silas Daniel et al.,	M.C.R.	2024
William F. Ford et al.,	M.C.R.	2035

--: D E C I S I O N :--

It appears from the record herein that applications for
identification as Mississippi Choctaws were made to this Commission
by Wiley Daniel for himself and his wife, Martha Daniel; by Minerva
Antman for herself and her nine minor children, Missouri, Andrew,
Emma, Ada, Jesse, Willie, Millie, Alex and Job; by David Daniel
for himself and his five minor children, Elijah, Ida, Lee, Miranda
and Enoch Daniel; by Silas Daniel for himself and his seven minor

children, Percy, Rebecca, Beatrice, Rosie, Berta, Lillie and Luke Daniel; and by William F. Ford for himself and his six minor children, Roxie, Estelle, Emily Elizabeth, Robert E. Lee, Alta and Paul Ford; under the following provision of the act of Congress approved June 28, 1898, (30 Stats., 495):

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto and make report to the Secretary of the Interior."

It also appears that all of said applicants claim rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, by reason of being descendants either of one Jeffrey Jefferson, who is alleged to have been a full-blood Choctaw Indian, or of one Fodie, who is alleged to have been a half-blood Choctaw Indian, or of one Simon Ford or of one Sarah Ball, who are alleged to have been Choctaw Indians.

It further appears from the evidence submitted in support of said applications and from the records in the possession of the Commission, that no one of said applicants has ever been enrolled by the Choctaw tribal authorities as a member of the Choctaw Tribe,

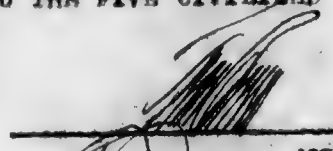
or admitted to Choctaw citizenship by a duly constituted court or committee of the Choctaw Nation, or by the Commission to the Five Civilized Tribes, or by a decree of the United States Court in Indian Territory, under the provisions of the act of Congress approved June 10, 1896, (29 Stats., 321).

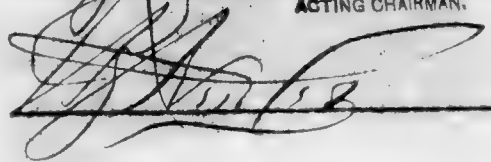
It does not appear from the testimony and evidence offered in support of said applications, or from the records in the possession of the Commission, relating to persons who complied or attempted to comply with the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and to persons who heretofore were claimants thereunder, that the said Jeffrey Jefferson, or the said Fedis, or the said Simon Ford, or the said Sarah Ball, or ancestors less remote, or any of the applicants herein, signified (in person or by proxy) to Colonel Wm. Ward, Indian Agent, Choctaw Agency, an intention to comply with the provisions of said article fourteen, or presented a claim to rights thereunder to either of the Commissions authorized to adjudicate such claims by the acts of Congress approved March 3, 1837, (5 Stats., 180) and August 23, 1842, (5 Stats., 518).

It is, therefore, the opinion of this Commission that the evidence herein is insufficient to determine the identity of Wiley Daniel, Martha Daniel, Minerva Autman, Missouri Autman, Andrew Autman, Ezra Autman, Asa Autman, Jesse Autman, Willie Autman,

Millie Autman, Alex Autman, Job Autman, David Daniel, Elijah Daniel, Ida Daniel, Lee Daniel, Miranda Daniel, Enoch Daniel, Silas Daniel, Percy Daniel, Rebecca Daniel, Beatrice Daniel, Rosie Daniel, Berta Daniel, Lillie Daniel, Luke Daniel, William F. Ford, Roxie Ford, Estelle Ford, Emily Elisabeth Ford, Robert E. Lee Ford, Alta Ford, and Paul Ford as Choctaw Indians, entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the applications for their identification as such should be refused, and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.



ACTING CHAIRMAN.


C. R. Buckinridge.
Commissioners.

Muskogee, Indian Territory,

JUL 22 1902

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DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
Meridian, Mississippi, May 4, 1901.

Additional testimony to be filed in the matter of the application of Wiley Daniel et al for identification as Mississippi Choctaws. William Partin, being first duly sworn, testified as follows:

Examination by John S. Hagler, attorney for applicant.

- Q What is your full name? A William Partin.
Q State your name, age, residence and occupation?
Q What is your age? A 46.
Q Occupation? A Farmer.
Q Residence? A Enterprise, Clark County, Mississippi.
Q How long have you resided in Mississippi? A All my life.
Q Have you lived in that community in which the Choctaw Indians reside? A Yes sir.
Q Are you familiar with the ways and customs and habits of the Choctaw Indians in Mississippi? A Yes sir, to a certain extent.
Q Do you know a Choctaw Indian when you see him? A Yes sir.
Q Can you speak the language? A No sir, very little.
Q Do you know Wiley Daniel? A No sir.
Q Have you seen him? A I don't know that I have.
(Wiley Daniel appeared before the witness)
A Yes sir, I have saw him this morning.
Q Have you seen Choctaw Indians mixed with the African blood here in Mississippi? A Yes sir.
Q To what extent have you seen anything like that? A Well, with half and full bloods mixed with Africans.
Q Have you seen Choctaws in Mississippi mixed with white blood?
A Yes sir.
Q Please look at Mr. Wiley Daniel and state to the Court your opinion as to what nationality he is and to what extent in each nationality you think he is. A Well, he looks to be mixed with the African and Choctaw Indian. Looks to be fully half or more than half Choctaw Indian.
Q Why do you say he looks to be half or ~~xxx~~ more than half Choctaw Indian? A Because he resembles Choctaw blood, his hair is straight and his complexion looks like that of a Choctaw.
Q His general make-up? A Yes sir.
Q Have you any interest, direct or indirect, in his application for enrollment as a Mississippi Choctaw? A No sir.

Examination by the Commission.

- Q Are you a white man? A Yes sir.

Ira S. Niles, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he reported in full the proceedings had in the above entitled cause, heard at Meridian, Mississippi, May 4, 1901, and that the above and foregoing is a full, true and correct transcription of his stenographic notes in said cause taken the day and date above mentioned.

Subscribed and sworn to before me this 8th day of May, A.D. 1901,
at Meridian, Mississippi.

Ira S. Niles
[Signature]
Notary Public.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
Meridian, Mississippi, May 4, 1901.

Additional testimony to be filed in the matter of the application of Wiley Daniel et al for identification as Mississippi Choctaws. William Partin, being first duly sworn, testified as follows:

Examination by John S. Hagler, attorney for applicant.

- Q What is your full name? A William Partin.
Q State your name, age, residence and occupation?
Q What is your age? A 46.
Q Occupation? A Farmer.
Q Residence? A Enterprise, Clark County, Mississippi.
Q How long have you resided in Mississippi? A All my life.
Q Have you lived in that community in which the Choctaw Indians reside? A Yes sir.
Q Are you familiar with the ways and customs and habits of the Choctaw Indians in Mississippi? A Yes sir, to a certain extent.
Q Do you know a Choctaw Indian when you see him? A Yes sir.
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(Wiley Daniel appeared before the witness)
A Yes sir, I have saw him this morning.
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Q Have you any interest, direct or indirect, in his application for enrollment as a Mississippi Choctaw? A No sir.

Examination by the Commission.

- Q Are you a white man? A Yes sir.

Ira S. Niles, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he reported in full the proceedings had in the above entitled cause, heard at Meridian, Mississippi, May 4, 1901, and that the above and foregoing is a full, true and correct transcription of his stenographic notes in said cause taken the day and date above mentioned.

Subscribed and sworn to before me this 8th day of May, A.D. 1901,
at Meridian, Mississippi.

[Signature]
Notary Public.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
Meridian, Mississippi, May 4, 1901.

Additional testimony to be filed in the matter of the application of Wiley Daniel et al for identification as Mississippi Choctaws. William Partin, being first duly sworn, testified as follows:

Examination by John S. Hagler, attorney for applicant.

- Q What is your full name? A William Partin.
Q State your name, age, residence and occupation?
Q What is your age? A 46.
Q Occupation? A Farmer.
Q Residence? A Enterprise, Clark County, Mississippi.
Q How long have you resided in Mississippi? A All my life.
Q Have you lived in that community in which the Choctaw Indians reside? A Yes sir.
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Q Please look at Mr. Wiley Daniel and state to the Court your opinion as to what nationality he is and to what extent in each nationality you think he is. A Well, he looks to be mixed with the African and Choctaw Indian. Looks to be fully half or more than half Choctaw Indian.
Q Why do you say he looks to be half or ~~more~~ more than half Choctaw Indian? A Because he resembles Choctaw blood, his hair is straight and his complexion looks like that of a Choctaw.
Q His general make-up? A Yes sir.
Q Have you any interest, direct or indirect, in his application for enrollment as a Mississippi Choctaw? A No sir.

Examination by the Commission.

- Q Are you a white man? A Yes sir.

Ira S. Niles, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he reported in full the proceedings had in the above entitled cause, heard at Meridian, Mississippi, May 4, 1901, and that the above and foregoing is a full, true and correct transcription of his stenographic notes in said cause taken the day and date above mentioned.

Subscribed and sworn to before me this 8th day of May, A.D. 1901, at Meridian, Mississippi.

[Signature]
Notary Public.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
Meridian, Mississippi, May 4, 1901.

Additional testimony to be filed in the matter of the application of Wiley Daniel et al for identification as Mississippi Choctaws. Marcus Speights, being first duly sworn, testified as follows:

Examination by John S. Hagley, Attorney for applicant.

- Q State your name, residence and occupation?
Q What is your name? A Marcus Speights.
Q Age? A 46.
Q Residence? A Poplarville, Mississippi.
Q Occupation? A Farmer.
Q How long have you resided in Mississippi? A All my life, that is with the exception of one year I lived in Louisiana. I lived in Louisiana part of my time, about 20 years, but I was raised and born in this State.
Q Of what nationality are you? A Choctaw and white.
Q How much Choctaw blood are you? A Half.
Q Are you acquainted with the applicant, Wiley Daniel?
A I am.
Q How long have you known him? A I have known him all my life.
Q Of what nationality is Wiley Daniel? A Choctaw Indian.
Q Is he a full blood? A I don't think; he is known to be half. I have known him to be always Choctaw.
Q How did you know him to be a half Choctaw Indian, in what way did you learn that? A I learned it from there being four of the brothers and sisters and they, of course, they was known to be that by reputation, from their appearance and from their reputation.
Q What is the appearance of Wiley Daniel? A Well, he has the appearance of a half Choctaw Indian, his hair resembling that of the Indian and also his features some.
Q Is that of the make up of an Indian? A Yes sir.
Q Have you been associated with and in company with the Mississippi Choctaws during your residence in this State to a great extent?
A Yes sir.
Q Can you tell the difference between a quadroon, a half blood and a full blood by looking at them? A Well in most cases they are a little extreme but in more or less I can.
Q Have you been before the Dawes Commission and made your application for citizenship as a Mississippi Choctaw? A I have.
Q Have you any interest, direct or indirect, in the application of Wiley Daniel for enrollment as a Mississippi Choctaw? A I have none whatever.
Q What is the stature of Wiley Daniel as to make up, slender, heavy, tall? Just describe him? A When he was young he was straight and slender; at this time he is a little bowed, but he was very erect straight and slender. His hair is straight and black but there is some gray now. His whiskers were straight when he was younger and black. His eyes are near black.
Q As to the shade of him as a full blood Indian, is he lighter or darker? A He is a shade darker.

By the Commission.

- Q What do you mean by shade? A Well, it is a degree darker than a full blood.
Q What do you mean by degree? A Well, there is a little difference, it is a little darker, it is at present darker.
Q You mean you draw the distinction that a shade or a little darker means that he has not quite the appearance of a Choctaw, or what do you mean? A The color is not quite as bright as the usual color of a full blood Choctaw.
Q What would be your distinction between a full blood negro and a full blood Choctaw?

Wiley Daniel-2 (Testimony of Marcus Speights)

A Well, a full blood negro would be black and a full blood Choctaw would be red.

Q You testify then that this man is one shade darker than a full blood Choctaw? A Well of course he is darker than a Choctaw.

Q You state only one shade darker, I want to know what you mean by a shade? A Well I described it as well as I could.

Q What is your meaning of the term shade or percent darker? Do you mean it as a comparative term or do you mean that he has the appearance of a Choctaw as far as his complexion and color is concerned? A His complexion is not that of a Choctaw, it is darker than a Choctaw; darker than a full blood.

Examination by Mr. Hagler, attorney for applicant.

Q What is the complexion of a Choctaw mixed with African blood?

A Well, it is a kind of a liver color, as well as I can describe.

Q Is that the color of Wiley Daniel? A It is as near as I can describe. When he was younger he was not as dark as he is now. When he was a young man he was lighter then than he is now.

Examination by the Commission.

Q Have you always been considered and recognized by the Choctaws here in Mississippi as a member of that Tribe? A I think I have, I have always been called a Choctaw.

Q By these Choctaws here? A Yes sir.

Q Do you speak the Choctaw language? A No sir.

Q Do you live with the Choctaws here in Mississippi? A Yes sir.

Q Most of the full bloods here in Mississippi do not speak English do they? A No sir, I was raised an ~~exposed~~ orphan and of course my mother could use the Choctaw language but I was raised an orphan boy, my mother died when I was quite small.

Re-direct examination by Mr. Hagler.

Q What is your color? A Well, I can't describe it as well as somebody else could but it is between a white man and a Choctaw color I suppose.

Q Aren't you nearly as dark as a full blood Choctaw Indian?

A Very near it, according to my hands and inside of my clothes. I lived in the Territory one year and they recognized me there.

Ira S. Niles, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he reported in full the proceedings had in the above entitled cause, heard at Meridian, Mississippi, May 4, 1901, and that the above and foregoing is a full, true and correct transcription of his stenographic notes in said cause taken the day and date above mentioned.

Subscribed and sworn to before me this 8th day of May, A.D. 1901, at Meridian, Mississippi.

[Signature]
Notary Public.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
Meridian, Mississippi, May 4, 1901.

In the matter of the application for identification as
Mississippi Choctaws of Wiley Daniel and his wife.
Said Wiley Daniel, being first duly sworn, testified as
follows:-

Examination by the Commission.

Q What is your name? A Wiley Daniel.
Q How old are you? A 80 years old.
Q Where do you live? A Pike County.
Q What is your postoffice address? A Tylertown.
Q How long have you lived in Mississippi? A Always.
Q Have you been a slave? A Yes sir.
Q What is your father's name? Jeffrey Jefferson.
Q Is your father living? A No sir, died when I was 15 years
old.
Q Was your father a Choctaw Indian? A Yes sir.
Q Was he ever a slave? A No sir.
Q What is your mother's name? A Fedie.
Q Is your mother living? A No sir.
Q Was your mother a Choctaw? A Yes sir.
Q How much Choctaw was she? A About half, as I know of.
Q Was she ever a slave? A Yes sir.
Q How much Choctaw blood do you claim? A one-half.
Q Do you claim your blood through both of your parents? A Yes
sir, I saw the Indians go by, I was ten years old, I-----
Q What part of the State were you living in when you were ten
years of age? A Lawrence County.
Q What part of the State is that in? A Upper part of the State.
Q Not in the country where the Choctaw Indians live? A Yes
sir, they passed by me, I saw them going; they was passing by---
Q You wasn't living in the Choctaw Nation then? A No sir.
Q Was your mother and father living in the Choctaw Nation then?
A Well---
Q Were you living here in the Choctaw Nation? A Yes sir, I was.
Q Well, how did you see the Indians going by? A Well, they had
a home there and saw the Indians going by.
Q Were you a recognized member of the Choctaw Tribe at that time?
A Yes sir.
Q How were you? A They took up with me right well when they
passed.
Q Was that the first time you had ever seen them? A Yes sir,
when I was ten years old.
Q Your mother and father were not recognized as members of the
tribe were they? A Not as I knows of.
Q Can you speak the Choctaw language? A No sir.
Q Are you married? A Yes sir.
Q What is your wife's name? A Martha.
Q Making any claim for your wife? A Yes sir.
Q How old is she? A 60 years old.
Q How much Choctaw do you claim for your wife? A About 1/4
I reckon.
Q What is your wife's father's name? A Simon Ford.
Q That is your present wife's father's name? A Yes sir.
Q Was he a Choctaw Indian? A Yes sir, his wife was.
Q Was your wife's father a Choctaw Indian? A My wife's father's
mother was a Choctaw.
Q I am asking about your wife's father? A I don't know.
Q Was he ever a slave? A Yes sir.
Q Is he living? A Dead.
Q Did he always live here in Mississippi? A Yes sir.

Q Was he ever recognized in any manner as a member of the Choctaw Tribe of Indians? A No.

Q What is your wife's mother's name? A Sarah.

Q ~~Sarah what?~~ Sarah Ball.

Q Was she a Choctaw Indian? A Was she kin to them? A Yes sir.

Q Was she a slave? A Yes sir.

Q Is she living? A Dead.

Q Was your wife a slave? A Yes sir.

Q What do you mean by your wife's mother and father being kin to the Choctaws? A I mean because they got hair like them.

Q Have you any evidence showing that either of your parents, or you, or either of your wife's parents, were ever recognized in any manner or considered as members of the Choctaw Tribe of Indians by either the Choctaws here in Mississippi or by the United States Government? A That is too far back for me to know; I couldn't tell you that.

Q Have you any children? A All my children have gone.

Q You have no children under 21 years of age and unmarried? A No sir.

Q Make this application simply for yourself and your wife, do you? A And my offspring.

Q We can't hear you for an children over 21 years of age and unmarried; they will have to make their own application.

Q Is your name or the name of your wife on any of the tribal rolls of the Choctaw Nation in Indian Territory? A No sir.

Q Have you ever made any application to the Choctaw authorities in Indian Territory for citizenship in the Choctaw Nation? A No sir.

Q In 1896, five years ago, did you, or anyone in your ~~name~~ behalf or in behalf of your wife make application to the Commission at that time? A No sir.

Q Have you or your wife ever been admitted to citizenship in the Choctaw Nation by the Choctaw Tribal authorities, by the Commission to the Five Civilized Tribes or by the United States Court in Indian Territory? A No sir.

Q This is the first application you have ever made of any description? A Yes sir.

Q You are now making application for the identification of yourself and your wife as Mississippi Choctaws? A Yes sir.

Q You claim your rights under the provisions of the 14th article of the treaty of 1830? A Yes sir.

Q Did either you or your wife ever receive any benefits as Choctaw Indians? A No sir.

Q Did any of your ancestors, your foreparents, ever receive any such benefits? A Not as I know of.

Q Have you any evidence showing that any of your people were ever recognized as members of the Choctaw Tribe of Indians? A No sir.

Q Did any of your ancestors remove from Mississippi to the Choctaw Nation in the Indian Territory at the time of the removal of the Choctaw Indians in 1833 to 1838? A Not as I know.

Q Did any of your ancestors ever claim or receive any land here in Mississippi as beneficiaries under the provisions of the 14th article of the treaty of 1830? A No sir.

Q Is there any additional statement that you desire to make in regard to this application, that is, statements in regard to your ancestors or to your recognition as members of the Choctaw Tribe of Indians or in regard to your wife's people ever having been recognized as Choctaws? A No sir.

Q Is your wife here? A No sir.

Q Have you any documentary evidence, any written testimony, affidavits, copies of records, deeds or patents, or any proper evidence, that would in any manner go to show that your ancestors ever complied or attempted to comply with the provisions of the 14th article of the treaty of 1830 or that they have ever received any benefits under that article of that treaty? A No sir.

The applicant in this case has none of the appearance of a Choctaw Indian. His characteristics are generally those of a negro with the exception of his hair being straight. He is unable to speak the Choctaw language and it appears from his testimony that at the time of the treaty of 1830, at which time he was living, that he was not a resident of the Choctaw Nation of the State of Mississippi. He has no knowledge of any compliance by his ancestors with the provisions of the 14th article of the treaty of 1830. The applicant has no knowledge of his wife's claim to identification as a Mississippi Choctaw.

Examination by John S. Hagler, attorney for applicants.

Q How old were you when your father died? A I was a boy, about 16 years old when he died.
Q What kind of Indian was your father, what blood was he?
A Choctaw.
Q Was he a full blood? A Yes sir.
Q Who knows that beside yourself? A Well, I couldn't tell you now.
Q Give me the names of some man that ought to know? A I can prove it by two old men.
Q Give me the names and postoffice address of these two old people?
A Mary Ann McGee, Franklin, Louisiana, and Bob Daniel, Bayou ~~xxx~~ Sara, Louisiana.
Q What sized man was your father? A He was about 200.
Q What kind of hair did he have and what was his complexion?
A His hair was just like mine, he had Indian hair.
Q What kind of hair did the Indians have? A Well, they have straight, black hair.
Q Is that the kind of hair you have on your head? A Yes sir.
Q What is the color of your eyes? A Black.
Q What was the color of your father's eyes? A Black.
Q Do you claim your Indian blood through your father or your mother?
A Through my father and mother too.
Q Did your father die before your mother, or afterwards? A He died afterwards.
Q How many children did your father and mother have by their marriage? A 12.
Q To your knowledge has any of them ever been enrolled or made application for citizenship in the Choctaw Nation? A No sir.
Q Where have you resided during the past 15 years? A Pike County, Mississippi.
Q Where did you live from that time back to the time of your marriage? A Louisiana, Washington, County.
Q Were you a slave? A Yes sir.
Q Who did you belong to? A Bob Daniel.
Q Was your father a slave? A No sir.
Q When did your father and mother marry, to your knowledge?
A Can't tell you.
Q Where did you marry your wife? A Louisiana.
Q When? A Been about 30 years ago.
Q Your last wife or your first wife? A My last wife.
Q Where did you marry your first wife and when? A Louisiana, in slave time.
Q About when, before the war or how long ago? A A long time before the war.
Q Did you live in Mississippi among the Choctaws in 1830?
A I was about ten years old when I saw the Choctaws.
Q Was it a custom for the Choctaws and the negroes to marry?
A Well, I don't know about that, I can't tell you.
Q Do you know of any other Choctaw Indian marrying a negro?
A He wouldn't go with the Choctaws; he didn't follow them.
Q Is any of the Daniel children living, who were living at the time you were the slave of Bob Daniel? A Not but one and that is Bob.

- Q Is he now living? A Yes sir.
Q How old is he, compared with your age? A He is 79.
Q What is his postoffice address? A I can't tell you; he is 200 miles from here.
Q In what County and State? A Louisiana, I don't know what county. He went to Bayou Sara.
Q Does he know whether you have any Choctaw blood in you? A Yes he knows.
Q He knew you when you were a boy? A Yes sir.
Q Knew your father and mother? A Yes sir.

I wish to intriduce the affidavit of Bob Daniel and the affidavits of other witnesses.

(By the Commission)

Permission is granted attorney for the applicant to file written evidence in support of this application provided the same is offered for filing with the Commission within thirty days from the date hereof.

The decision of the Commission as to your application and the application you make on behalf of your wife ~~as Mississippi Choctaws~~ for identification as Mississippi Choctaws will be determined at the earliest possible date and report of the same made to the Secretary of the Interior, conformable to the provisions of the 21st section of the Act of Congress of June 28, 1898, and a copy of such decision will be mailed to you at your postoffice address as given in your testimony at this time.

Ira S. Niles, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he reported in full the proceedings had in the above entitled cause, heard at Meridian, Mississippi, May 4, 1901, and that the above and foregoing is a full, true and correct transcription of his stenographic notes in said cause taken the day and date above mentioned.

Subscribed and sworn to before me this 8th day of May, A.D.1901, at Meridian, Mississippi.

[Signature]
Notary Public.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
Meridian, Mississippi, May 4, 1901.

Additional testimony to be filed in the matter of the application of Wiley Daniel et al for identification as Mississippi Choctaws. Robert E. McCants, being first duly sworn, testified as follows:-

Examination by John S. Hagler, Attorney for applicant.

- Q What is your name? A Robert E. McCants.
Q Where do you reside? A Tupelo, Mississippi.
Q What is your occupation? A Farmer.
Q Of what nationality are you? A Mixed with white and Choctaw Indian.
Q What part white and what part Choctaw Indian are you? A One quarter Choctaw and three quarters white.
Q Have you ever seen Wiley Daniel? A Yes, I have.
Q How long have you lived in Mississippi? A 49 years.
Q Have you been associated with and mixed and mingled with the Choctaw Indians to any extent since you have been in this State?
A Yes sir.
Q Do you know a Choctaw Indian when you see him? A Yes sir.
Q Do you know the difference between a Choctaw Indian, a quadroon and a half breed? A Yes sir.
Q Have you seen Choctaw Indians mixed with the African blood?
A Yes sir.
Q Have you seen Choctaw Indians that were mixed with white blood?
A Yes sir.
Q Please look at Mr. Wiley Daniel and state to the Court your opinion as to what nationality he is and what portion or percent of him is Indian, if you think he is Indian, or negro, if you think he is negro, or white, if you think he is white? A I take him to be about one fourth Indian and three fourths colored.
Q Why do you say he is one fourth Indian? A I have seen them that resembled him that were mixed and it makes me think he would be about one fourth.
Q Have you any interest in his application for enrollment?
A No sir.

Ira S. Niles, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he reported in full the proceedings had in the above entitled cause, heard at Meridian, Mississippi, May 4, 1901, and that the above and foregoing is a full, true and correct transcription of his stenographic notes in said cause taken the day and date above mentioned.

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at Meridian, Mississippi.

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Notary Public.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
Meridian, Mississippi, May 4, 1901.

Additional testimony to be filed in the matter of the application of Wiley Daniel et al for identification as Mississippi Choctaws. Robert E. McCants, being first duly sworn, testified as follows:-

Examination by John S. Hagler, Attorney for applicant.

- Q What is your name? A Robert E. McCants.
Q Where do you reside? A Tupelo, Mississippi.
Q What is your occupation? A Farmer.
Q Of what nationality are you? A Mixed with white and Choctaw Indian.
Q What part white and what part Choctaw Indian are you? A One quarter Choctaw and three quarters white.
Q Have you ever seen Wiley Daniel? A Yes, I have.
Q How long have you lived in Mississippi? A 49 years.
Q Have you been associated with and mixed and mingled with the Choctaw Indians to any extent since you have been in this State?
A Yes sir.
Q Do you know a Choctaw Indian when you see him? A Yes sir.
Q Do you know the difference between a Choctaw Indian, a quadroon and a half breed? A Yes sir.
Q Have you seen Choctaw Indians mixed with the African blood?
A Yes sir.
Q Have you seen Choctaw Indians that were mixed with white blood?
A Yes sir.
Q Please look at Mr. Wiley Daniel and state to the Court your opinion as to what nationality he is and what portion or percent of him is Indian, if you think he is Indian, or negro, if you think he is negro, or white, if you think he is white? A I take him to be about one fourth Indian and three fourths colored.
Q Why do you say he is one fourth Indian? A I have seen them that resembled him that were mixed and it makes me think he would be about one fourth.
Q Have you any interest in his application for enrollment?
A No sir.

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[Signature]
Notary Public.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
Meridian, Mississippi, May 4, 1901.

Additional testimony to be filed in the matter of the application of Wiley Daniel et al for identification as Mississippi Choctaws. Robert E. McCants, being first duly sworn, testified as follows:-

Examination by John S. Hagler, Attorney for applicant.

- Q What is your name? A Robert E. McCants.
Q Where do you reside? A Tupelo, Mississippi.
Q What is your occupation? A Farmer.
Q Of what nationality are you? A Mixed with white and Choctaw Indian.
Q What part white and what part Choctaw Indian are you? A One quarter Choctaw and three quarters white.
Q Have you ever seen Wiley Daniel? A Yes, I have.
Q How long have you lived in Mississippi? A 49 years.
Q Have you been associated with and mixed and mingled with the Choctaw Indians to any extent since you have been in this State?
A Yes sir.
Q Do you know a Choctaw Indian when you see him? A Yes sir.
Q Do you know the difference between a Choctaw Indian, a quadroon and a half breed? A Yes sir.
Q Have you seen Choctaw Indians mixed with the African blood?
A Yes sir.
Q Have you seen Choctaw Indians that were mixed with white blood?
AA Yes sir.
Q Please look at Mr. Wiley Daniel and state to the Court your opinion as to what nationality he is and what portion or percent of him is Indian, if you think he is Indian, or negro, if you think he is negro, or white, if you think he is white? A I take him to be about one fourth Indian and three fourths colored.
Q Why do you say he is one fourth Indian? A I have seen them that resembled him that were mixed and it makes me think he would be about one fourth.
Q Have you any interest in his application for enrollment?
A No sir.

Ira S. Niles, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he reported in full the proceedings had in the above entitled cause, heard at Meridian, Mississippi, May 4, 1901, and that the above and foregoing is a full, true and correct transcription of his stenographic notes in said cause taken the day and date above mentioned.

Subscribed and sworn to before me this 8th day of May, A.D.1901,
at Meridian, Mississippi.

John S. Hagler
Notary Public.

COPY.

M C R 2004

Muskogee, Indian Territory, July 22, 1902.

Wiley Daniel,

Tylertown, Mississippi.

Dear Sir:

You are hereby advised that on the 22nd day of July, 1902, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Wiley Daniel, et al., embracing the following applications for identification as Mississippi Choctaws:

Wiley Daniel, et al.,	M C R	2004
Minerva Autman, et al.,	"	2032
David Daniel, et al.,	"	2033
Silas Daniel, et al.,	"	2034
William F. Ford, et al.,	"	2035

These applications were made under the provisions of the act of Congress of June 28, 1892 (30 Stats., 495), which is as follows:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses, and perform all other acts necessary thereto, and make report to the Secretary of the Interior".

Said decision concludes as follows:

"It is, therefore, the opinion of this Commission that the evidence herein is insufficient to determine the identity of Wiley Daniel, Martha Daniel, Minerva Autman, Missouri Autman, Andrew

Wiley Daniel-2

Autman, Emma Autman, Asa Autman, Jesse Autman, Willie Autman, Millie Autman, Alex Autman, Job Autman, David Daniel, Elijah Daniel, Ida Daniel, Lee Daniel, Miranda Daniel, Enoch Daniel, Silas Daniel, Percy Daniel, Rebecca Daniel, Beatrice Daniel, Rosie Daniel, Berta Daniel, Lillie Daniel, Luke Daniel, William F. Ford, Roxie Ford, Estelle Ford, Emily Elizabeth Ford, Robert E. Lee Ford, Alta Ford, and Paul Ford as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the applications for their identification as such should be refused, and it is so ordered".

You are further advised that the Commission has on this date forwarded the record in this case to the Secretary of the Interior for review and you will be informed in due time of such action as may be taken by him.

Yours truly,

(SIGNED)

T. B. Woodcock.

Commissioner in Charge.

Registered.

COPY

M C R 2004

Muskogee, Indian Territory, July 22, 1902.

John S. Hagler,
Attorney at Law,
Bowie, Texas.

Dear Sir:

You are hereby advised that on the 22nd day of July, 1902, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Wiley Daniel, et al., embracing the following applications for identification as Mississippi Choctaws:

Wiley Daniel, et al.,	M C R 2004
Minerva Autman, et al.,	" 2032
David Daniel, et al.,	" 2033
Silas Daniel, et al.,	" 2034
William P. Ford, et al.,	" 2035

These applications were made under the provisions of the act of Congress of June 28, 1898 (30 Stats., 495), which is as follows:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses, and perform all other acts necessary thereto, and make report to the Secretary of the Interior".

Said decision concludes as follows:

John S. Hagler-2

"It is, therefore, the opinion of this Commission that the evidence herein is insufficient to determine the identity of Wiley Daniel, Martha Daniel, Minerva Autman, Missouri Autman, Andrew Autman, Emma Autman, Asa Autman, Jesse Autman, Willie Autman, Millie Autman, Alex Autman, Job Autman, David Daniel, Elijah Daniel, Ida Daniel, Lee Daniel, Miranda Daniel, Thoch Daniel, Silas Daniel, Percy Daniel, Rebecca Daniel, Beatrice Daniel, Rosie Daniel, Senta Daniel, Billie Daniel, Luke Daniel, William F. Ford, Roxie Ford, Estelle Ford, Emily Elizabeth Ford, Robert E. Lee Ford, Alta Ford and Paul Ford as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the applications for their identification as such should be refused, and it is so ordered."

You are further advised that the Commission has on this date forwarded the record in this case to the Secretary of the Interior for review and you will be informed in due time of such action as may be taken by him.

Yours truly,

SGNLL

T. B. Needles.

Commissioner in Charge.

Registered.

M C R 2004

Muskogee, Indian Territory, July 22, 1902.

The Honorable,

The Secretary of the Interior.

Sir:

There is transmitted herewith the record in the consolidated case of Wiley Daniel, et al., applicants to the Commission for identification as Mississippi Choctaws, including the decision of the Commission of July 22nd, 1902.

The above consolidated case embraces the following original applications for identification as Mississippi Choctaws heard by the Commission:

Wiley Daniel, et al.,	M C R	2004
Minerva Autman, et al.,	"	2032
David Daniel, et al.,	"	2033
Silas Daniel, et al.,	"	2034
William F. Ford, et al.,	"	2035

The Commission has the honor to report that the principal applicants in the several separate applications, their attorneys of record and the attorneys for the Choctaw and Chickasaw Nations have been duly advised by letter of the action of the Commission,

The Secretary-2

copies of said letters being attached to the record.

Respectfully,

S. WEDD.

S. W. Wedd.
Commissioner in Charge.

Through the Commissioner
of Indian Affairs.

1 enclosure.

Copy

M C R 2004

Muskogee, Indian Territory, July 22, 1902.

Mansfield, McMurray & Cornish,

Attorneys for the Choctaw and Chickasaw Nations,
South McAlester, Indian Territory.

Dear Sirs:

You are hereby advised that on the 22nd day of July, 1902, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Wiley Daniel, et al., embracing the following applications for identification as Mississippi Choctaws:

Wiley Daniel, et al.,	M C R 2004
Minerva Autman, et al.,	" 2032
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"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and so that and may administer oaths, examine witnesses, and perform all other acts necessary thereto, and make report to the Secretary of the Interior".

Said decision concludes as follows:

"It is, therefore, the opinion of this Commission that the evidence herein is insufficient to determine the identity of Wiley Daniel, Martha Daniel, Minerva Autman, Missouri Autman, Andrew Autman, Emma Autman, Asa Autman, Josse Autman, Willie Autman, Willie Autman, Alex Autman, Job Autman, David Daniel, Elijah Daniel, Ida Daniel, Lee Daniel, Miranda Daniel, Enoch Daniel, Silas Daniel, Percy Daniel, Rebecca Daniel, Beatrice Daniel, Rosie Daniel, Berta Daniel, Lillie Daniel, Luke Daniel, William F. Ford, Roxie Ford, Estelle Ford, Emily Elizabeth Ford, Robert M. Lee Ford, Alta Ford, and Paul Ford as Choctaw Indians, entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the applications for their identification as such should be refused, and it is so ordered".

You are further advised that the Commission has on this date forwarded the record in this case to the Secretary of the Interior for review and you will be informed in due time of such action as may be taken by him.

Yours truly,

W. M. Moll,
Commissioner in Charge.

Land
44144-1902.

C O P Y.

DEPARTMENT OF THE INTERIOR,

OFFICE OF INDIAN AFFAIRS,

Washington, August 7, 1902.

The Honorable,

The Secretary of the Interior.

Sir:

There is transmitted herewith a report made by the Acting Chairman of the Commission to the Five Civilized Tribes on July 22, 1902, forwarding for the Department's consideration the record relative to the consolidated case of Wiley Daniel, et al., applicants for identification as Mississippi Choctaws claiming rights in the Choctaw lands under the provisions of the fourteenth article of the treaty of September 27, 1830.

Wiley Daniel applies for the identification of himself and his wife, Martha Daniel; Minerva Autman for herself and her nine minor children, Missouri, Andrew, Emma, Asa, Jesse, Willie, Millie, Alex and Job; David Daniel for himself and his five minor children, Elijah, Ida, Lee, Miranda and Enoch; Silas Daniel for himself and his seven minor children, Percy, Rebecca, Beatrice, Rosie, Berta, Lillie and Luke; William F. Ford for himself and his six minor children, Roxie, Estelle, Emily Elizabeth, Robert E. Lee,

Alta and Paul Ford.

Descent is claimed through Jeffery Jefferson, and Fodie, parents of the principal applicant, to Simon Ford and Sarah Ball, grandparents of said principal applicant.

The records of this office do not show that any of the above-named ancestors complied or attempted to comply with the provisions of the fourteenth article of the treaty of 1830, or that they applied to the commissions appointed under the Acts of March 3, 1837, and August 23, 1842 for an adjudication of their rights as Choctaw Indians.

It is therefore respectfully recommended that the decision of the Commission rejecting the applications be affirmed.

Very respectfully,

Your obedient servant,

(Signed) A. C. Tonner,

Acting Commissioner.

GAW
D

D.C. 13977-1902.

50348

RAF.

DEPARTMENT OF THE INTERIOR.

Washington, August 22, 1902.

ITD. 4861-1902.

L.R.S.

Commission to the Five Civilized Tribes,
Muskogee, I. T.

Gentlemen:

The Department has considered the consolidated case involving the applications for identification as Mississippi Choctaws of Wiley Daniel and his wife Martha Daniel; of Minerva Autman and her nine minor children, Missouri, Andrew, Emma, Asa, Jesse, Willie Millie, Alex and Job Autman; of David Daniel and his five minor children, Elijah, Ida, Lee, Miranda and Enoch Daniel; of Silas Daniel and his seven minor children, Percy, Rebecca, Beatrice, Rosie, Berta, Lillie and Luke Daniel; of William F. Ford and his six minor children, Roxie, Estelle, Emily Elizabeth, Robert E. Lee, Alta and Paul Ford. The record, including your decision of July 22, 1902, denying the applications, was transmitted with your letter of that date.

The applicants attempt to trace their descent from one Jeffrey Jefferson, alleged to have been a full-blood Choctaw Indian; from one Fedie, alleged to have been a half-blood Choctaw; and from one Simon Ford and Sarah Ball, alleged to have been Choctaw Indians.

The record fails to show that any one of the applicants has ever been duly admitted or enrolled as a Choctaw citizen, or that any one of said alleged ancestors or a less remote ancestor of applicants ever complied or attempted to comply with article XIV of the treaty of September 27, 1830, or with either of the acts of March 3, 1837 (5 Stat., 180), and August 23, 1842 (5 Stat., 513).

The Acting Commissioner of Indian Affairs forwarded the papers August 7, 1902, and recommended that your decision be approved. A copy of the Acting Commissioner's letter is inclosed.

After a careful review of the whole case the Department affirms your decision.

Respectfully,

(Signed) Thos. Ryan,
Acting Secretary.

EMD.

1 inclosure.

M.C.R. 2004.

Muskogee, Indian Territory, August 30, 1902.

Wiley Daniel,
Tylertown, Mississippi.

Dear Sir:

You are hereby advised that on the 22nd day of August 1902, the Secretary of the Interior affirmed the decision of the Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of Wiley Daniel, et al., of which decision you were advised by registered mail on the 22nd day of July, 1902.

Yours truly,

Acting Chairman.

M.C.R. 2004.

COPY.

Muskogee, Indian Territory, August 30, 1902.

Mansfield, McMurray & Cornish,

Attorneys for the Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:

You are hereby advised that on the 22nd day of August 1902, the Secretary of the Interior affirmed the decision of the Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of Wiley Daniel, et al., of which decision you were advised by mail on the 22nd day of July, 1902.

Yours truly,

Acting Chairman.

M C R 2004.

Muskogee, Indian Territory, March 1, 1907.

J. S. Daniels,

Magnolia, Mississippi.

Dear Sir:

Replying to your letter of January 18, 1907, requesting to be informed as to the status of the application of your father, Wiley Daniels, deceased, as a Mississippi Choctaw, you are advised that the Commission to the Five Civilized Tribes rendered a decision in the Mississippi Choctaw case of Wiley Daniels et al, M C R 2004, denying the right of the applicants therein to identification, and that said decision was affirmed by the Secretary of the Interior August 22, 1902.

You are further advised that since the date last named no action has been taken in said case by the applicants therein, and that same is now closed.

Respectfully,

Commissioner.

FOR IDENTIFICATION AS
A MISSISSIPPI CHOCTAW

Wiley Daniel Ethel

MCH 2004

For Identification as a Mississippi Choctaw.

Date MAY - 4 1901

Name Wiley Daniel.

Age 80. Blood $\frac{1}{2}$

Post Office Tyler Town, Miss.

Father: Jeffrey Jefferson - dead.

Mother: Fleda Jefferson - dead.

Claims through both parents.

WIFE: Martha Daniel ($\frac{1}{4}$) 60

FATHER: Simon Ford - dead.

MOTHER: Sarah Ball - dead.

Children:

Stenographer

J. L. Miller

Jeffrey Jefferson, full
wife
Fannie Jefferson 1/2
slave, d

Wiley Daniel, 80 1/2
(slave)

married

Simon Ford, dead, slave
married
Sarah Bell, dead slave

① Minnie Daniel, dead
② Martha Ford, 60, 1/4
(slave)

Sophia Daniel, 1/4 living
(slave)
married
Watson Ford, slave, dead

Minerva Daniel, 1/4 45
(slave)
married
York Autman, Negro

Silas Daniel, 40, 1/4
(slave)
married
Rosie Virgil, negro

David Daniel, 37, 1/4
married
Roxie Ann Ward, negro

William P. Ford, 35, 1/8
wife
① Sarah Ford (Divorced)
② Edith Ford, living x

Missouri Autman, 19
" Andrew Autman, 17
" Emma Autman, 15
" Asa Autman, 13
" Jesse Autman, 11
" Willie Autman, 9
" Millie Autman, 6
" Alex. Autman, 3
" Job Autman, 1

Percy Daniel, 13
Rebecca Daniel, 12
Beatrice Daniel, 10
Rosie Daniel, 8
Berta Daniel, 6
Lillie Daniel, 4
Luke Daniel, 9 m

Elijah Daniel, 12
" Ida Daniel, 9
" Lee Daniel, 5
" Miranda Daniel, 2
" Enoch Daniel, 2 m

Roxie Ford, 13
" Estelle Ford, 12
" Emily Elizabeth Ford, 5
" Robert E. Ford, 4
" Alta Ford, 3
" Paul Ford, 6 m

x Note discrepancy between
testimony of applicant and
marriage certificate as to
date of marriage to second
wife

REFER TO M. C. R. 2004

Wiley, Ernest. et al

Consolidated Plan

Choctaw MCR 2005

Willie Taylor

MCR 2005

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

The record herein is in the matter of the
application of Willie Taylor, et al., for identification
as Mississippi Choctaws,
M.C.R. 2005

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

In the matter of the application of Willie Taylor, et
al., for identification as Mississippi Choctaws, M.C.R. 2005.

I N D E X

	Page
Original application of Willie Taylor, et al., to the Dawes Commission for identification as Mississippi Choctaws	1
Decision of the Commission identifying Willie Taylor, et al., as Mississippi Choctaws	5

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
Meridian, Mississippi, May 4, 1901.

In the matter of the application for identification as Mississippi Choctaws of Willie Taylor, his wife and two minor children, and his two minor step-children.

Said Willie Taylor, being first duly sworn, testified as follows:

Examination being conducted in part through Isham Johnston sworn Choctaw interpreter.

Examination by the Commission.

- Q What is your name? A Willie Taylor.
- Q How old are you? A 26.
- Q Where do you live? A Brown, Perry County, Mississippi.
- Q Born here? A Yes sir.
- Q Never have lived anywhere else? A No sir.
- ✓ Q What is your father's name? A Bill Taylor.
- Q Is your father living? A No sir.
- ✓ Q Was he a full blood Choctaw? A Yes sir.
- Q Did he always live here in Mississippi? A I don't know.
- Q As far as you know did he always live here? A Yes sir.
- ✓ Q What is your mother's name? A Merceline.
- Q Is your mother living? A No.
- ✓ Q Was she a full blood Choctaw? A Yes.
- Q She always live in Mississippi? A Yes.
- Q Either of your parents ever recognized in any manner as citizens of the Choctaw Nation in Indian Territory? A I don't know about that.
- Q Are you married? A Yes sir.
- ✓ Q What is your wife's name? A Jennie.
- ✓ Q Is she a full blood Choctaw? A Yes sir.
- Q How old is she? A I couldn't tell you exactly, somewhere about 40.
- Q A good deal older than you, is she? A I don't know, about 38 or 40.
- Q She is older than you are? A Yes sir.
- ✓ Q What is her father's name? A Jake Thomas.
- Q Is he living? A No sir.
- ✓ Q Was he a full blood Choctaw? A Yes sir.
- Q Did he always live here in Mississippi? A Yes sir.
- ✓ Q What is your wife's mother's name? A I don't know.
- Q Was she Jake Thomas's wife? A I don't know.
- ✓ Q She was a full blood Choctaw, was she? A Yes sir.
- Q Dead? A Yes sir.
- Q She always live here in Mississippi? A Yes sir.
- Q Were you and your wife married? A Yes sir.
- Q Married under a license? A Yes sir.
- Q Get it from Court? A Yes sir.
- Q At Paulding? A No sir, at Bay St. Louis.
- Q How many children have you? A Two.
- Q What are their names, the oldest one? A Elizabeth Taylor.
- Q How old is Elizabeth? A Going on three years old.
- Q What is the other one? A Johnson Taylor.
- Q How old is he? A Going on two years old.
- Q Are you the father of both of these children and Jennie Taylor the mother of both these children? A Yes sir.
- ✓ Q Besides these two children you have two step-children, of your first wife by another husband. A Yes sir.
- Q What are their names? A The oldest one?
- ✓ Q Yes. A Ludie Jeff.
- Q How old is Ludie? A About 14.

- ✓Q The next one? A Alice.
Q How old is Alice? A About 11, I believe.
✓Q Your wife, Jennie Taylor, is the mother of these two children?
A Yes sir.
✓Q What was the name of the father of these two children?
A John Jeff.
Q Is he dead? A Yes sir.
✓Q Was he a full blood Choctaw? A I guess so.
✓Q As far as you know of him, was he a full blood Choctaw? A Yes.
Q Do these two children live with you? A Yes sir.
Q Your and your wife and all four of these children living together? A Yes sir.
Q Is your name or the name of your wife or of any of your children on the tribal rolls of the Choctaw Nation in Indian Territory?
A I don't know.
Q Did you or any of your people ever make application to be enrolled with the Choctaws out there? A No sir.
Q In 1896, about 5 years ago, the Commission was empowered to hear original applications for citizenship in the Choctaw Nation, did you or anyone for you and your wife and children make application to the Commission at that time? A No sir, I don't know.
Q Have you, your wife or children ever been admitted to citizenship in the Choctaw Nation by the Choctaw Tribal authorities, the Commission to the Five Civilized Tribes or by the United States Court in Indian Territory? Ever been admitted to citizenship in the Choctaw Nation? A Yes.
Q When? A About two years ago.
Q You made an application then at Decatur? A Yes sir.
Q That was when you made an application as a Mississippi Choctaw?
A Yes sir.
Q Have you ever been admitted to the rights of citizenship in the Choctaw Nation out in Indian Territory? A Yes sir.
Q When did you get any such right as that? A No sir, I didn't.
Q You made an application at Decatur, did you, two years ago?
A Yes sir.
Q Did you make that application yourself? A Yes sir.

This applicant is the identical Willie Taylor who appeared before the Commission at Decatur, Mississippi, February 8, 1899, and made application for the identification of himself, his wife Jennie and his two children, Elizabeth and Alice Taylor, as Mississippi Choctaws. Their names appear on ~~Choctaw~~ ~~Rolls~~ ~~Field No. 454~~ Mississippi Choctaw Card Field No. 454. Their names also appear upon the schedule annexed to the Commission's report of March 10, 1899, as to the identification of Mississippi Choctaws, page No. 97, roll numbers as follows:

~~1649 Willie Taylor~~
1649 Willie Taylor
1650 Jennie Taylor
1651 Alice Taylor
1652 Elizabeth Taylor.

The following is the transcription of the testimony of Willie Taylor taken before the Commission on that date:

Willie Taylor, the applicant, states that--"I am 25 years of age and a full blood Choctaw. My wife is a full blood, named Jennie, about 26 years of age. We have two children, Alice, five, and Elizabeth, two years old."

- Q Why didn't you give in the name of Ludie at Decatur two years ago? A Because she was living with her grandfather.
Q How long has Ludie been living with you? A About one year, I believe.

t

The name of Lutie Jeff appears on Mississippi Choctaw Card No.460, together with that of Jake Thomas who made application for the identification of this child at Decatur, Mississippi, February 8, 1899. The name also appears on the schedule annexed to the Commission's report of March 10, 1899, as to the identification of Mississippi Choctaws, page 98, roll No.1674 as Lutie Jeff.

Q You are now making application for the identification of yourself, your wife and your two children, and your two step-children as Mississippi Choctaws? A Yes sir.

Q You claim your rights as beneficiaries under the provisions of the 14th article of the treaty of 1830? A I don't know.

Q Don't know what? What do you mean by don't know? Don't know what that is, or don't know whether you claim under it or not?

What do you mean when you say I don't know? Don't you understand what that is? A No sir.

Q I will explain it to you.

The treaty of 1830 provided for the moving of the Choctaws from Mississippi to the Indian Territory. The 14th article of that treaty gave to those Choctaws who wanted to remain here the right to do so. They were to go to the Indian Agent of the Choctaws here and tell him that they wanted to stay in Mississippi. After that they got certain tracts of land here, on which the Indians were to reside for five years before they could get any title to it or a patent. The article further provided that those Choctaws who did that should never lose the privilege of Choctaw citizens, but if they ever remove are not entitled to any portion of the Choctaw annuity.

Q You are claiming then that you and your wife, your children and step-children, are descendants of those choctaws who remained here in Mississippi and never went to Indian Territory? A Yes sir.

Q Did any of your ancestors, your forefathers, or your wife's foreparents or any of these step-children's ancestors ever remove to the Indian Territory when the Choctaws moved out there?

A I don't know.

Q As far as you know they have always lived here in Mississippi?

A Yes sir.

Q Did any of your ancestors, or your wife's ancestors, ever claim or receive any land here in Mississippi from the United States Government under this 14th article of the treaty of 1830? A No sir.

Q Did you ever hear of any of them receiving any land here from the Government or from the Choctaw Nation? A No, I don't know.

Q You know nothing of any compliance by your ancestors with the provisions of this treaty of 1830? A No sir.

Q Is there an additional statement you want to make in support of this application? Anything more you want to say? A No sir.

Q Have you any documentary evidence, any papers, any writings, or any records, deeds or patents, anything to show that any of your people, your ancestors or foreparents, or your wife's ancestors, were ever recognized here in Mississippi as members of the Choctaw Tribe of Indians or that they ever complied or attempted to comply with the provisions of the 14th article of the treaty of 1830, or that they ever received any benefits as Choctaws here in Mississippi? Any papers of any description that would in any manner show that your people had ever received any benefits as Choctaw Indians? Did they ever get any patent to any land here from the Government? A No sir, I don't know.

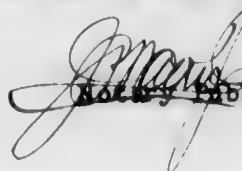
The applicant in this case is to every appearance a full blood Choctaw Indian. It appears from his testimony that his wife, his two children and two step-

children, for whom application is also made, are full blood Choctaws and always resided in the State of Mississippi. It further appears that the ancestors of these applicants have always resided in Mississippi and never received any benefits as Choctaw Indians from either the Choctaw Tribal government or from the United States. The applicant has no knowledge of any compliance by his ancestors, or those of his wife and step-children, with the provisions of the 14th article of the treaty of 1830. The applicant speaks the Choctaw language.

The decision of the Commission as to your application and the application you make on behalf of your wife, your two minor children and your two minor step-children, for identification as Mississippi Choctaws, will be determined at the earliest possible date and report of the same made to the Secretary of the Interior, conformable to the provisions of the 21st section of the Act of Congress of June 28, 1898, and a copy of such decision will be mailed to you to your post-office address as given in your testimony at this time.

Ira S. Niles, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he reported in full the proceedings had in the above entitled cause, heard at Meridian, Mississippi, May 4, 1901, and that the above and foregoing is a full, true and correct transcription of his stenographic notes in said cause taken the day and date above mentioned.

Subscribed and sworn to before me this the 7th day of May, A.D. 1901, at Meridian, Mississippi.


Notary Public.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

In the matter of the application of Willie Taylor, et al., for identification as Mississippi Choctaws, M.C.R. 2005.

-----D E C I S I O N -----

It appears from the record herein that application for identification as Mississippi Choctaws was made to this Commission on May 4, 1901, by Willie Taylor for himself, his wife Jennie, his two minor children, Elizabeth and Johnson Taylor, and his two step children, Ludie and Alice Jeff, under the following provision of the Act of Congress approved June 28, 1898 (30 Stats. 495):

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto and make report to the Secretary of the Interior."

From the evidence submitted in support of said application it appears that all the applicants are full blood Mississippi Choctaw Indians.

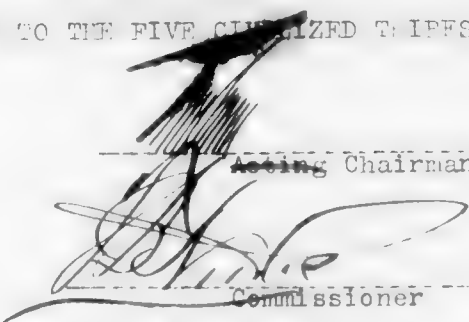
Section forty-one of the Act of Congress entitled "An Act

to ratify and confirm an agreement with the Choctaw and Chickasaw tribes of Indians, and for other purposes" approved July 1, 1902, (32 Stats. 641) and ratified by the Choctaw and Chickasaw Nations September 25, 1902, provides as follows:

"The application of no person for identification as a Mississippi Choctaw shall be received by said Commission after six months subsequent to the date of the final ratification of this agreement and in the disposition of such applications all full-blood Mississippi Choctaw Indians and the descendants of any Mississippi Choctaw Indians whether of full or mixed blood who received a patent to land under the said fourteenth article of the said treaty of eighteen hundred and thirty who had not moved to and made bona fide settlement in the Choctaw-Chickasaw country prior to June twenty-eighth, eighteen hundred and ninety-eight, shall be deemed to be Mississippi Choctaws, entitled to benefits under article fourteen of the said treaty of September twenty-seventh, eighteen hundred and thirty, and to identification as such by said Commission, but this direction or provision shall be deemed to be only a rule of evidence and shall not be invoked by or operate to the advantage of any applicant who is not a Mississippi Choctaw of the full blood, or who is not the descendant of a Mississippi Choctaw who received a patent to land under said treaty, or who is otherwise barred from the right of citizenship in the Choctaw Nation, all of said Mississippi Choctaws so enrolled by said Commission shall be upon a separate roll."

It is, therefore, the opinion of this Commission that Willie Taylor, Jennie Taylor, Elizabeth Taylor, Johnson Taylor, Ludie Jeff and Alice Jeff should be identified as Mississippi Choctaws, and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES


Acting Chairman

Commissioner


Commissioner

Muskogee, Indian Territory

AIR 27 1902

1 C R 2005

COPI

Law Office, Indian Territory, Fall 27, 1903.

Ma sfield, McMurray & Cornish,

Attorneys for the Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:

Enclosed herewith you will find a copy of the decision of the Commission rendered April 27, 1903, identifying Willie Taylor his wife Jennie Taylor, his two minor children Elizabeth Taylor and Johnson Taylor, and his two step children, Ludie Jeff and Alice Jeff as Mississippi Choctaw Indians under the provisions of the forty-first section of the act of Congress approved July 1, 1902 (32 Stats., 641).

You are hereby advised that you will be allowed fifteen days from the date hereof in which to file with this Commission such protest as you desire to make against the action of the Commission in identifying the said Willie Taylor, his wife and two minor children and two step children as Mississippi Choctaws, and make satisfactory proof of service of said protest upon the applicants herein.

If you fail to file such protest within the time allowed, the names of the applicants herein will be placed upon the schedule of duly identified Mississippi Choctaws now being prepared by this Commission.

Respectfully,

(Signed).

Tanna Dixby.

Chairman.

Registered.
Enc 2005

M.C.R. 2005.

COPY.

Muskogee, Indian Territory, May 8, 1903.

Willie Taylor,

Brown, Mississippi.

Dear Sir:

Enclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered April 27, 1903, identifying yourself, your wife, Jennie Taylor, your minor children, Elizabeth Taylor and Johnson Taylor, and your minor step-children, Eudie Jeff and Alice Jeff, as Mississippi Choctaw Indians under the provisions of Section 41 of the Act of Congress approved July 1, 1902, (32 Stats., 641).

If you remove to the Choctaw-Chickasaw country, Indian Territory, before October 27, 1903, you will have six months from that date, or until April 27, 1904, within which to make proof of such removal and settlement at the office of the Commission at Atoka, Choctaw Nation, or Tishomingo, Chickasaw Nation.

Respectfully,

(SIGNED)

Tame Dixie
Chairman.

Registered.

Enc. 2005.

For Identification as a Mississippi Choctaw.

Date MAY - 4 1901

Name Willie Taylor.

Age 26 Blood full

Post Office Brown, Miss.

Father: Billbo Taylor - dead.

Mother: Merceline Taylor - dead.

Claims through both parents.

WIFE: Jennie Taylor (full) 38

FATHER: Jack Thomas - dead.

MOTHER: --- Thomas - dead.

Children:

Elizabeth Taylor 3.

Johnson " 2.

STEPCHILDREN:

Ludie Jeff. 14.

Alice " 11.

FATHER: John Jeff - dead

MOTHER: Jennie Taylor - ✓

(Appropriate all full name (s)).

Stenographer

J. S. Niles.

Over.

See Mississippi Choctaw card
#454: testimony of July 8, 1879.
See Mississippi Choctaw card
#460: testimony of July 8, 1879.

It is in view of the wife,
two children for the 2nd
all

Phyllis Taylor, 1901.

2005

IDENTIFIED

DECEMBER 1901

W. S.

3

176

Choctaw MCR 2006

Jack John

MCR 2006

R. 20

Jack Johnson et al.,

1 1 1 1 1

DECISION FILE 11

NOT DE

NOTICE
FOR CHURCH AND

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application of Jack John, et al., for
identification as Mississippi Choctaws, M.C.R.2006.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application of Jack John, et al., for
identification as Mississippi Choctaws, M.C.R.2006.

I N D E X .

	page
Original application of Jack John, et al., before the Dawes Commission for identification as Mississippi Choctaws,.....	1
Testimony of Sallie John, taken at Meridian, Mississippi, July 5, 1901,	4
Decision of the Commission granting the application of Jack John, et al., for identification as Mississippi Choctaws,.....	8

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
Meridian, Mississippi, May 4, 1901.

In the matter of the application for identification as
Mississippi Choctaws of Jack John, his wife and their minor child.

Said Jack John, being first duly sworn through Choctaw
Interpreter, Isham Johnston, testified as follows:-

Examination by the Commission.

Q What is your name? A Jack John.
Q How old are you? A 22.
Q Where do you live? A Paulding.
Q What county is that in? A Jasper County.
Q How long have you lived in Mississippi? A A long time.
Q How long? -----
Q Can't you answer that? A I don't know how long.
Q Was you born here? A Yes sir.
Q Never have lived anywhere else? A No sir.
Q What is your father's name? A Billy John.
Q Was your father a full blood Choctaw? A Yes sir.
Q Is he living? A No.
Q Did your father always live here in Mississippi? A Yes sir.
Q Did he have any Choctaw name? A Puchchanunubbee.
Q What is your mother's name? A I don't know.
Q Don't you remember your mother? A No sir.
Q Was she a Choctaw? A Yes sir.
Q Full blood? A Yes.
Q Don't remember her name? A No.
Q Is she living? A No sir.
Q How long has she been dead? A I don't know.
Q Do you know anything about her? A No sir.
Q Don't remember her? A No.
Q Did she die when you were a little fellow? A Yes.
Q Were either your father or mother ever recognized or considered
as members of the Choctaw Tribe of Indians? A Yes sir.
Q That is the Choctaw Tribe in the Indian Territory? A Yes.
Q How? A I don't know.
Q They never lived there, did they? A I don't know.
Q Did they ever live in the Indian Territory? (No answer)
Q Did your mother and father ever live out in the Indian Territory?
Q Can't you understand that question? Don't you know whether
they lived in Indian Territory or not? A No sir.
Q Always lived here in Mississippi, did they? A Yes sir.
Q Are you married? A Yes sir.
Q What is your wife's name? Sallie John.
Q Is your wife a full blood Choctaw? A Yes.
Q How old is she? A 21.
Q What is her father's name? A Adam Lewis.
Q Is your wife's father living? A No.
Q Was he a full blood Choctaw? A Yes.
Q Did he always live here in Mississippi? A Yes.
Q What is your wife's mother's name? A Eliza Lewis.
Q Is your wife's mother living? A Yes.
Q Is she a full blood Choctaw? A Yes.
Q Did she always live here in Mississippi? A Yes.
Q Were you married to Sallie John? A Yes.
Q How were you married? A About three years ago?
Q How were you married, did you get a license? A No.
Q Married according to Choctaw custom down here? A Yes.
Q Have you any children? A Yes.
Q How many? A One.
Q What is the child's name? A Davis John.

- Q How old is he? A About 5 years.
- Q That is the only child you have had? A No, had one, he died.
- Q This one lives with you, doesn't he? A Yes.
- Q Have you or your wife ever been enrolled by the Choctaws in Indian Territory? (No answer)
- Q Never lived in the Indian Territory, did you? A No.
- Q Have you ever made application for citizenship in the Tribe out there, either you or your wife? Did you ever apply to the Choctaws out there to be enrolled with them? A No.
- Q Five years ago, in 1896, did you make an application to the Commission to the Five Civilized Tribes for citizenship in the Choctaw Nation under the Act of Congress of June 10, 1896? A No.
- Q Have you, your wife or your child ever been admitted to citizenship in the Choctaw Nation by either the Choctaw Tribal authorities, ~~the~~ the Commission to the Five Civilized Tribes, or by the United States Court in Indian Territory? (No answer)
- Q You understand that question, don't you? A No.
- Q Have you ever been given rights to citizenship in the Choctaw Nation in the Indian Territory? A No sir.
- Q This is the first application you have ever made of any kind? A Yes.
- Q Has anybody ever made an application for you before? A No sir.
- Q You are now making application for the identification of yourself, your wife and your child as Mississippi Choctaws, is that correct? A Yes sir.
- Q Claim your rights as beneficiaries under the 14th article of the treaty of 1830? A Yes sir.
- Q Did you ever receive any benefits in money or land from the Choctaw Nation? A Yes.
- Q When did you ever get and money or land from the Choctaw Nation? A No.
- Q Did any of your foreparents, the people that you descended from, ever move from Mississippi out to the Choctaw Nation in Indian Territory when the Choctaws moved out there 65 or 70 years ago? A No.
- Q All of them have always lived here in Mississippi? A Yes.
- Q Did any of your ancestors ever receive any land from the United States under this 14th article of the treaty of 1830? A No.
- Q Have all your ancestors, as far as you remember, always lived here in Mississippi? (No answer)
- Q Do you know whether any of your people ever lived anywhere else beside Mississippi? A No.
- Q Anything more you want to say? Any statement you want to make? Anything you know about your ancestors or foreparents? (No answer)
- Q Is there anything more you want to say, anything you know about your people, your father, your mother, or any of your foreparents? A No sir.
- Q Have you any documentary evidence, written testimony of any kind, copies of records, deeds or patents, or any papers, that would show that your ancestors were ever recognized or considered as members of the Choctaw Tribe of Indians or that they ever complied or attempted to comply with the provisions of the 14th article of the treaty of 1830? A No sir.

The appearance of John S. Hagler, the attorney for applicants, noted.

The applicant in this case is to every appearance a full blood Choctaw Indian and speaks but a little English, the examination having been ~~conducted~~ conducted for a greater part through a sworn Choctaw interpreter. It has been very difficult to elicit any answer from the applicant. It appears from the testimony that the wife and child, for whom application is also made, are both full blood Choctaws and that the applicant, his wife and their ancestors

have always been residents of the State of Mississippi and have not received any benefits as Choctaw Indians. The applicant has no knowledge of the compliance by his ancestors with the provisions of the 14th article of the treaty of 1830.

The decision of the Commission as to your application and the application you make on ~~your~~ behalf of your wife and minor child, for identification as Mississippi Choctaws, will be determined at the earliest possible date and report of the same made to the Secretary of the Interior, conformable to the provisions of the 21st section of the Act of Congress of June 28, 1898, and a copy of such decision will be mailed to you at your proper postoffice address as given in your testimony at this time.

Ira S. Niles, being first duly sworn, states that stenographer to the Commission to the Five Civilized Tribes, he reported in full the proceedings had in the above entitled cause, heard at Meridian, Mississippi, May 4, 1901, and that the above and foregoing is a full, true and correct transcription of his stenographic notes in said cause taken the day and date above mentioned.

Subscribed and sworn to before me this the 7th day of May, A.D. 1901, at Meridian, Mississippi.

James H. Niles
[Signature]
Notary Public.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
Meridian, Mississippi, July 5th, 1901.

In the matter of the application of John Jack et al for
identification as Mississippi Choctaws, M.C.C. Field No. 2006.

Sallie John, being first duly sworn, testified as follows:

Examination by the Commission.

Q What is your name? A Sallie John.
Q How old are you? A Twenty-three.
Q What is your postoffice address? A Paulding, Mississippi.
Q What County? A Jasper County.
Q How long have you lived in the State of Mississippi? A All life
Q Is your father living? A No.
Q What was his name? A Adam Lewis.
Q Did your father always live here in Mississippi? A Yes.
Q How long has he been dead? A Don't know.
Q About how long? A I was three or four years old when he died.
Q About how old a man was he when he died, do you know? A No sir.
Q Do you remember him? A No.
Q Is your mother living? A Don't know if she is living, or not.
Heard that my mother was dead not long ago. She has been living
in State-Line and I in Kemper. I been raised by my grandmother.
Q You haven't lived with your mother then since the death of your
father? A No.
Q Has your mother always lived in the State of Mississippi?
A Yes.
Q How much Choctaw blood do you claim to have? A Full blood.
Q Both of your parents were full blood Choctaw Indians? A Yes.
Q You speak and understand the Choctaw language and some English?
A Yes.
Q Do you remember the names of any of your grandparents? A Don't
know my grandmother's English name; her Choctaw name is Min-ta-ho-
nah.
Q Is she living? A Dead.
Q How long has she been dead? A Six years.
Q Is she the one who raised you? A Yes sir.
Q Was she your mother's mother or father's mother? A Father's
mother.
Q Do you know the names of any other of your grandparents, do you
know your mother's mother's name? A Don't know.
Q Do you know your mother's father's name? A No.
Q Do you know your father's father's name? A Lewis.
Q Didn't he have a Choctaw name? A I don't know, I was too small
then; I don't know.
Q He died when you were a child then? A Yes.
Q About how old was your father's mother when she died, your grand-
mother whom you lived with? A Don't know.
Q Can't you give us an idea of about how old she was? A No.
Q Was she a very old woman when she died, six years ago? A Yes.
Q Had she always lived in the State of Mississippi? A Yes.
Q Do you know the names of any other of your ancestors further back
than your grandparents? A No.
Q Do you know whether your father or mother, either of them, were
ever recognized in any manner or enrolled as members of the Choctaw
Tribe of Indians in Indian Territory by the Choctaw Tribal authori-
ties or by the United States authorities? A Don't know.

John Jack et al-testimony of Sallie John -2

Q Are you married? A Yes.

Q What is your husband's name? A Jack John.

Q Did your husband appear before the Commission here at Meridian on May 4th, last and make application for the identification of himself, you and your child Davis as Mississippi Choctaws? A Yes.

The records of the Commission show that on May 4th, 1901, one Jack John appeared before the Commission at Meridian, Mississippi, and made application for the identification of himself, his wife Sallie and minor child Davis as Mississippi Choctaws, their names appearing on Mississippi Choctaw Card, Field No. R-2006.

Q Does your husband understand the English language? A Not much.

Q He made application for the child named Davis; did you ever have a child by that name? A Yes.

Q Is he living now? A Dead.

Q When did he die? A Three years ago.

Q Do you know the date on which he died? A December.

Q Three years next December? A Yes.

Q Do you remember the day of the month? A Don't know.

Q Have you any children living? A Yes.

Q How many have you living? A One.

Q What is that child's name? A Olevia John.

Q How old is Olevia? A Six months old.

Q What day was she born? A February 6th, 1901.

Q Is Olevia the child you have with you here today before the Commission? A Yes.

Q How did it happen that your husband did not give in the name of this child Olevia? A I don't know. He can't speak English very well.

Q Is that the reason he didn't give in the child's name? A Yes.

Q How do you account for his giving in the name of Davis, whom you say is dead, and not telling us about it? A John didn't understand much. We thought he give this one in when he gave Davis.

Q You think then that it was because he didn't understand English much that he ~~gix~~ got mixed up, is that it? A Yes.

Q The application of your husband should have been for him and you and one child, Olevia; is that right? A Yes.

Q Do you know whether your name is on any of the Choctaw Tribal rolls out in Indian Territory? A Don't know.

Q Did you ever make application to the Choctaw Tribal authorities in Indian Territory to be enrolled as a member of that Tribe? A No.

Q Did ~~you~~ you or your husband, or anyone for either of you, in 1896, make application to the Commission to the Five Civilized Tribes for citizenship in the Choctaw Nation? Did you make such an application five years ago to this Commission? No, this is first time.

Q Do you know whether any of your ancestors or any of your husband's ancestors were living in the old Choctaw Nation here in Mississippi and Alabama in the year 1830 when the treaty of Dancing Rabbit Creek was made? That was nearly 71 years ago, do you know whether any of your ancestors, or forefathers, or any of his forefathers were living here at that time, over 70 years ago? A Don't know.

Q Do you know whether your grandmother Min-ta-ho-nah was living at that time, or not? A Yes.

Q Do you know whether your grandmother Min-ta-ho-nah, or any other of your ancestors, ever received any land from the Government here in Mississippi? A Don't know.

Jack John et al--testimony of Sallie John--3

Q Did your grandmother ever own any land here? A Don't know.

Q Do you understand the 14th article of the treaty of 1830 between the United States and the Choctaw Indians? A Don't know about that

The treaty of Dancing Rabbit Creek was entered into between the United States Government and the Choctaw Tribe of Indians here in Mississippi in the year 1830, September 27, 1830. It was made for the purpose of securing the removal of the Choctaws out to the new country and at that time some of the Choctaws were unwilling to move out there and for their benefit the 14th article was put into the treaty. That article reads as follows:-

"Each Choctaw head of a family being desirous to remain and become a citizen of the States, shall be permitted to do so, by signifying his intention to the Agent within six months from the ratification of this Treaty, and he or she shall thereupon be entitled to a reservation of one section of six hundred and forty acres of land, to be bounded by sectional lines of survey; in like manner shall be entitled to one half that quantity for each unmarried child which is living with him over ten years of age; and a quarter section to such child as may be under ten years of age, to adjoin the location of the parent. If they reside upon said lands intending to become citizens of the States for five years after the ratification of this Treaty, in that case a grant in fee simple shall issue; said reservation shall include the present improvement of the head of the family or a portion of it. Persons who claim under this article shall not lose the privilege of a Choctaw citizen, but if they ever remove are not to be entitled to any portion of the Choctaw annuity."

Q Do you understand that now? A Yes.

Q Have you ever heard whether any of your people, any of your ancestors, ever received any land under this 14th article of the treaty of 1830? A No.

Q If they ever got any land then from the Government under this 14th article of the treaty of 1830, you never heard of it? A No.

Q In 1837 an Act of Congress was passed by which Commissioners were appointed by the Government to come down here in Mississippi and hear the claims of Choctaws who thought they ought to have land under the 14th article of the treaty of 1830. Do you know whether any of your ancestors came before these Commissioners and endeavored to establish their rights to land under that 14th article? Do you know? A Don't know.

Q Another Commission was appointed under the Act of Congress of August 23, 1842, ; do you know whether any of your ancestors appeared before that Commission and attempted to establish their rights? A No.

Q Did any of your ancestors remove to the new Choctaw Nation in Indian Territory? A No.

Q So far as you know then, all of your ancestors have always lived here in Mississippi, in what comprised the old Choctaw Nation? A Yes.

Q And you never heard of any of them ever having gotten any land from the Government? A No.

Q Did you ever hear of any of your husband's ancestors ever getting any land from the Government? A No.

Q Is your husband living? A Yes.

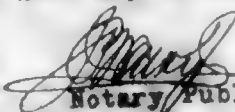
Q What is his name? A Billy John.

Jack John et al--testimony of Sallie John--4

- Q How old a man is Billy John? A Don't know.
Q Is he an old man? A Yes.
Q Did you ever hear him say whether he ever got any land from the Government or not? A No.
Q You never heard whether he ever got any land or not? A No.
Q Is your husband's mother living? A Yes.
Q Is she an old woman or a young woman? A Old woman.
Q What is her name? A Sallie.
Q Did you ever hear whether she ever got any land from the Government, or not? A No.
Q Do you know the names of any of your husband's grandparents?
A No.
Q You don't know then whether any of them ever got any land from the Government? A No.
Q Do you know whether any of your grandparents ever got any scrip from the Government? A Don't know.
Q Do you know whether any of your husband's ancestors ever got any scrip from the Government? A No.
Q Do you know whether any of your husband's ancestors appeared before any of the Commissions appointed by the ~~Government~~ Act of Congress of March 3, 1837, or August 23, 1842, to which I have above referred, and attempted to establish their rights under the provisions of the 14th article of the treaty of 1830? A Don't know.
Q Are there any further statements you want to make at this time in support of your application? A No.
Q Do you know of any persons that would be apt to know more about your family than you know about them and as to whether any of your people or your husband's people ever got any land from the Government? A No.
Q Have you any documentary evidence, affidavits, written testimony of any description, copies of records, deeds or patents, or any proper papers, showing that any of your ancestors were recognized members of the Choctaw Tribe of Indians in Mississippi in 1830, when the treaty of Dancing Rabbit Creek was made, that they ever complied or attempted to comply with the provisions of the 14th article of that treaty or ever received any benefits thereunder? A No.
Q Did you ever see any deeds or patents from the United States Government giving land to any of your people or any of your ~~husband's~~ husband's people? A No.

This applicant and her child Olevia are both present before the Commission at this time and both have every appearance and characteristic of full blood Indians. The applicant speaks and understands the Choctaw language and also speaks and understands English fairly well, the examination having been conducted partially in English and partially through a sworn Choctaw interpreter.

Ira S. Niles, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes he reported in full the proceedings had in the above entitled cause, heard at Meridian, Mississippi, July 5th, 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes taken in said proceedings on said date.
Subscribed and sworn to before me this the 26th day of July, 1901, at Meridian, Mississippi.


Notary Public.

(COPY)

Department of the Interior
Commission to the Five Civilized Tribes
Chickasaw Land Office
Tishomingo, I.T.
Sep. 26, 1903.

In the matter of the declaration and proof of settlement
within the Choctaw Chickasaw Country of Jack John and his minor
child Olevia John.

Mississippi Choctaw card 430.

Mississippi Choctaw roll
numbers 1249 and 1251.

Jack John being first duly sworn testified as follows:

Examination by the Commission.

- Q What is your name? A Jack John.
Q What is your age? A About twenty five.
Q. What is your post office address? A Kemp.
Q. What is your father's name? A Billy John.
Q. What is your mother's name? A Sookey.
Q. Are you married? A Yes.
Q. What is your wife's name? A Maggie. Davis.
Q. Were you married before you married her? A Yes.
Q. What was your other wife's name? A Sallie.
Q. What is the name of Sallie's father? A Adam.
Q. Who was her mother? A I dont know.
Q. Is Sallie dead? A Yes.
Q. When did Sallie die? A March 16th 1902.
Q. Have you any children? A Yes.
Q. How many? A One.
Q. What is its name? A Olevia John.
Q. Who is Olevia's mother? A Sallie.
Q. Is Olevia living now? A Yes.
Q. How old was Olevia when Sallie died? A One year old.
Q. How old is Olevia now? A The 9th of February she was
two years old.
Q. What age did you give for Olevia when you made application
to the Commission to be enrolled? A Four months.
Q. Have you had any other children besides this one? A No.
A Just that one.
Q. It appears from the records of the Commission that you
gave the age of Olevia at the time you made application for
enrollment as six years of age; is this a mistake? A Yes
Q. What was your post office address in Mississippi? A
Paulding.
Q. When did you leave Mississippi to go to the Choctaw
Chickasaw Country? A February.
Q. Did you come directly to Indian Territory? A Yes.
Q. Did-you-bring-Olevia-with-you?---A--Yes
Q. Where did you locate in Indian Territory? A Cale.
Q. Did you bring Olevia with you? A Yes sir.

- Q Did you bring Sallie with you? A She was dead.
 Q Is Olevia living with you now? A Yes sir
 Q Did you bring your household goods with you from Mississ-
 ippi? A Yes.
 Q. Have you any home in Mississippi at the present time?
 A No.
 Q Do you intend to reside permanently in Indian Territory?
 A Yes sir.
 Q. What will be your permanent post office address? A Kemp.
 Q Are you the identical Jack John who with his wife Sallie
 and his child Olevia were identified by the Commission
 as Mississippi Choctaws on April 11, 1903: A Yes.
 Q Have you made any agreement with a view to leasing the
 land which you are about to select? A No.

Clara Mitchell Wood being first duly sworn upon her oath
 states that she reported the above proceedings on the 26th
 day of September 1903 and that this is a correct transcript
 of her stenographic notes.

(Signed) Clara Mitchell Wood.

Subscribed and sworn to before me this 2nd day of October 1903.

(Signed) J. E. Williams
 Notary Public .

DEPARTMENT OF THE INTERIOR,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES,

-----oOo-----

Muskogee, Indian Territory, February 5, 1907.

-----oOo-----

IN THE MATTER of the application for the identification of Maggie John, nee Maggie Nickey, Lizzie, Billy, Sam, Bettie, Russel and Mollie Mass Nickey as Mississippi Choctaws.

.....

Rehearing had at the office of the Commissioner to the Five Civilized Tribes at Muskogee, Indian Territory, on the above date in conformity with Departmental instructions of January 12, 1907 (I T D 12338-1904,82-1907), due notice of which hearing has heretofore been furnished the principal applicant, L. D. Horton, her attorney, and the attorneys for the Choctaw and Chickasaw Nations.

.....

APPEARANCES: Maggie John, applicant.
 L. D. Horton, attorney of record.
 No appearance on behalf of the Choctaw and Chickasaw Nations.

-----oOo-----

MAGGIE JOHN, being first duly sworn, testified as follows:

By the Commissioner:

Q What is your name ? A Maggie John.
Q How old are you ? A I don't know.
Q Don't you have some idea about how old you are ? A. No.
Q What is your post office address ? A Pausaunla.
Q Is that in the Chickasaw Nation, Indian Territory ? A Yes sir.
Q What is the name of your father ? A Nickey.
Q Did he have any other name besides Nickey ? A Yes sir.
Q What did they call him ? A Nickey Davis.
Q Is he living or dead ? A Dead.
Q How long ago did he die ? A I don't know.
Q Can you remember when he died ? A No sir.
Q You know where he died ? A Yes sir.
Q Where ? A Mississippi.
Q He never came to the Indian Territory, did he ? A No.
Q What is the name of your mother ? A Nickey.
Q What is her first name - - what other name did she have besides Nickey ? A Nancy Davis.

Q Is she living ? A Yes sir.
Q Where does she live ? A State of Mississippi.
Q Near what town does she live; where does she get her mail?
A Missionary.
Q How much Choctaw blood did your father have, Nickey Davis?
A (No response).
Q He was an Indian, wasn't he ? A Yes sir.
Q Was he a full blood ? A Yes sir.
Q Are you sure that he was a full blood Mississippi Choctaw?
A Yes sir.
Q How do you know that ? A (No response).
Q Did you ever see your father ? A Yes sir.
Q Do you know the name of your father's father ? A Yes sir.
Q What was his name, your grandfather's name ? A (No response).
Q Have you any brothers ? A Yes sir.
Q What are their names ? A Billy, Sam.
Q Are these all the brothers you have ? A Yes sir.
Q Have you some sisters ? A Yes sir.
Q What are their names ? A Bettie, Mollie and Lizzie.
Q Are all your brothers and sisters living ? A No.
Q Which ones are dead ? A Lizzie.
Q Is that all ? A Yes sir, all the rest are dead.
Q Do you know when Lizzie died, how long ago ? A 6 years.
Q Did any of your brothers or sisters ever come to the Indian Territory from Mississippi ? A They stayed in Mississippi. Never removed to the Indian Territory - never came out here from Mississippi ? A No sir.
Q These children that you have named are your full brothers and sisters, are they ? A Yes sir.
Q You had the same father and the same mother ? A Yes sir.
Q Are your brothers and sisters younger than you are or older ? A Younger.
Q Wasn't Lizzie older than you are ? A Yes sir.
Q And Billy was to, wasn't he ? A Yes sir.
Q Then you were the next child after Billy ? A Yes sir.
Q Are you married ? A Yes sir.
Q What is the name of your husband ? A Jack John.
Q How long have you been married to Jack John ? A 4 years.
Q Did you marry him in Mississippi ? A Yes sir.
Q And you came out here together to the Indian Territory, you and your husband ? A Yes sir.

By the Commissioner to Mr. Horton:

Q. Mr. Horton this applicant does not make any claim under the 14th article ?
A. None whatever.
Q. Her claim is as a full blood ?
A. Yes sir.

Q Did Jack John have a wife named Sallie ? A Yes sir.
Q Sallie died and then you married Jack John ? A Yes sir.
Q Did he have a child by Sallie named Olevia John ? A Yes sir.

The name of Jack John appears upon a schedule of identified Mississippi Choctaws opposite No. 1249 approved by the Secretary of the Interior June 1, 1903, and upon a final roll of Mississippi Choctaws opposite No. 702 approved by the Secretary of the Interior January 13, 1905.

By Mr. Horton:

- Q How big was you, Maggie, when your father died; about how high was you when your father died ? A 10 yearsold.
- Q Do you remember him well, remember how he looked; you remember what kind of a looking man he was ? A Yes sir.
- Q Well how did he look - - I mean by that did he look just like those other Indians out there ? A Yes sir.
- Q Well now Maggie do you remember when the Dawes Commission were in Mississippi five or six years ago ? A Yes sir.
- Q Did your mother leave home to go before that Commission or not ? A Yes sir.
- Q Do you know the name of the place that she said she went to; you know a town by the name of Meridian ? A Yes sir.
- Q How long have you been living in the Indian Territory, Maggie ? A Three years.
- Q Did you come with your husband, Jack John, when he came ? A Yes sir.

By the Commissioner:

The applicant, Maggie John, has all the appearance and physical characteristics of a full blood Mississippi Choctaw.

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Wm. L. Martin, stenographer to the Commissioner to the Five Civilized Tribes, on oath states that he recorded the testimony and proceedings had in this cause, and that the above and foregoing is a full, true and correct transcript of his stenographic notes thereof.

Wm. L. Martin

Subscribed and sworn to before me this the 11th day of February, 1907.

Cliver C. Kinkle
Notary Public.

523

DEPARTMENT OF THE INTERIOR,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

In the matter of the removal to and settlement within the Choctaw-Chickasaw country, Indian Territory, of Maggie Nickey (now Maggie John), schedule of identified Mississippi Choctaws, No.

The evidence herein shows that Maggie Nickey (now Maggie John) was identified as a full-blood Mississippi Choctaw by the Commissioner to the Five Civilized Tribes March 4, 1907; that she removed to and established her residence in the Choctaw-Chickasaw country, Indian Territory in the month of February 1903; that satisfactory proof of such removal and settlement was submitted to the Commissioner to the Five Civilized Tribes February 5, 1907, and that she is, therefore, entitled to enrollment as a Mississippi Choctaw under the provisions of Section 41 of the Act of Congress approved July 1, 1902 (32 Stats., 641).



Commissioner.

Muskogee, Indian Territory,
MAR - 1 1907

*Teleg. was failed to reach
Bureau, Ind. Int. for
applicant to be enrolled
M. J.*

Cover

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application of Jack John, et al., for
identification as Mississippi Choctaws, M.C.R.2006.

.....D E C I S I O N.....

It appears from the record herein that application for
identification as Mississippi Choctaws was made to this Commission
on May 4, 1901, by Jack John for himself, his wife, Sallie John,
and his minor child, Davis John, under the following provision of
the act of Congress approved June 28, 1898, (30 Stats., 495):

"Said Commission shall have authority to determine
the identity of Choctaw Indians claiming rights in the
Choctaw lands under article fourteen of the treaty be-
tween the United States and the Choctaw Nation, concluded
September twenty-seventh, eighteen hundred and thirty,
and to that end may administer oaths, examine witnesses
and perform all other acts necessary thereto and make
report to the Secretary of the Interior."

It further appears that on July 5, 1901, Sallie John, wife
of the principal applicant herein, appeared before this Commission
and testified that at the time her said husband made application
for the identification of himself, wife and child, the child Davis
John had been dead three years, and that their child then living,

and who should have been applied for, was named Olevia John, who was born on February 6, 1901.

From the evidence submitted in support of said application it appears that all the applicants are full-blood Mississippi Choctaw Indians.

Section forty-one of the act of Congress entitled "An Act To ratify and confirm an agreement with the Choctaw and Chickasaw tribes of Indians, and for other purposes," approved July 1, 1902, (32 Stats., 641), and ratified by the Choctaw and Chickasaw Nations September 27, 1902, provides as follows:


"The application of no person for identification as a Mississippi Choctaw shall be received by said Commission after six months subsequent to the date of the final ratification of this agreement and in the disposition of such applications all full-blood Mississippi Choctaw Indians and the descendants of any Mississippi Choctaw Indians whether of full or mixed blood who received a patent to land under the said fourteenth article of the said treaty of eighteen hundred and thirty who had not moved to and made bona fide settlement in the Choctaw-Chickasaw country prior to June twenty-eighth, eighteen hundred and ninety-eight, shall be deemed to be Mississippi Choctaws, entitled to benefits under article fourteen of the said treaty of September twenty-seventh, eighteen hundred and thirty, and to identification as such by said Commission, but this direction or provision shall be deemed to be only a rule of evidence and shall not be invoked by or operate to the advantage of any applicant who is not a Mississippi Choctaw of the full blood, or who is not the descendant of a Mississippi Choctaw who received a patent to land under said treaty, or who is otherwise barred from the right of citizenship in the Choctaw Nation, all of said Mississippi Choctaws so enrolled by said Commission shall be upon a separate roll."

It is, therefore, the opinion of this Commission that Jack John, Sallie John and Olevia John should be identified as

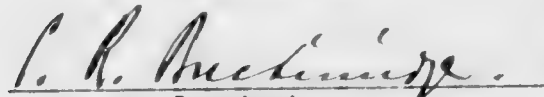
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Mississippi Choctaws, and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES,

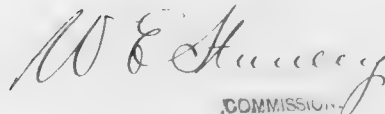

Acting Chairman.

Commissioner.


Commissioner.

Muskogee, Indian Territory,

APR 11 1903


COMMISSIONER.

COMMISSIONERS.

HENRY L. DAWES,
TAMM BIXBY,
THOMAS B. NEEDLES,
C. R. BRECKINRIDGE.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

ALLISON L. AYLESWORTH,
SECRETARY.

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

Carthage, Mississippi, December 18th, 1901.

Commission to the Five Civilized Tribes,
Muskogee, Indian Territory,
Gentlemen:-

Referring to M.C.C.Field No.517, I have to advise that from information received by me in Jasper County, I have reason to believe that these are the same persons whose names appear upon M.C.C.Field No.R-2006. Their names appear upon page 106 of the schedule, being numbers 1862 and 1863 thereon.

Yours truly,

Gay L. V. Emerson

INDEXED.

COPY
No.
17658
191

DEC 23 1901

DHOCTAW

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
FIELD
DEC 27 1901

 ACTING CHAIRMAN.

M.C.R. 8006.

COPY

Muskogee, Indian Territory, April 11, 1903.

Mansfield, McMurray & Cornish,

Attorneys for the Choctaw and Chickasaw Nation,

South McAlester, Indian Territory.

Gentlemen:

Enclosed herewith you will find a copy of the decision of the Commission rendered April 11, 1903, identifying Jack John, his wife, Sallie John, and minor child, Olevia John, as Mississippi Choctaw Indians under the provisions of the act of Congress approved July 1, 1902, (32 Stats., 641).

You are hereby advised that you will be allowed fifteen days from the date hereof, in which to file with this Commission such protest as you desire to make against the action of the Commission in identifying the said Jack John, his wife and child as Mississippi Choctaws, and make satisfactory proof of service of said protest upon the applicants herein.

If you fail to file such protest within the time allowed, the names of the applicants herein will be placed upon the schedule of duly identified Mississippi Choctaws now being prepared by this Commission.

Respectfully,

(SIGNED) *Tame Dixby.*

Chairman.

Registered.

Enc. 8006.

M.C.R. 2006

COPY.

Muskegee, Indian Territory, April 27, 1903.

Jack John,

Replied. Kemp. J. J. May 27, 1903.
Paulding, Mississippi.

Dear Sir:

Enclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered April 11, 1903, identifying yourself, your wife, Gollie John, and minor child, Olevia John, as Mississippi Choctaw Indians under the provisions of article 41 of the Act of Congress approved July 1, 1902, (32 Stats., 641).

If you remove to the Choctaw-Chickasaw country, Indian Territory, before October 11, 1903, you will have six months from that date, or until April 11, 1904, within which to make proof of such removal and settlement at the office of the Commission at Atoka, Choctaw Nation, or Tishomingo, Chickasaw Nation.

Respectfully,

(SIGNED)

Tams Bixby.
Chairman.

Registered.

Enc. 2006.

M C R 2006

Muskogee, Indian Territory, February 26, 1904.

Sedley S. Lowe,
Attorney at Law,
Sterrett, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 22nd instant, stating that Jack John, a Mississippi Choctaw, requests you to inquire if his wife, known as Maggie John, Maggie Davis, or Maggie Russell Davis, is "on the roll."

In reply you are advised that on April 11, 1903, the Commission rendered a decision identifying Jack John, his wife, Sallie John, and minor child, Olevia John, as full blood Mississippi Choctaws, of which action Jack John was duly notified on April 27, 1903.

Our records do not show that any person by the name of Maggie John, Maggie Davis, or Maggie Russell Davis, wife of Jack John, is an applicant to this Commission for identification as a Mississippi Choctaw.

Respectfully,

Commissioner in Charge.

M.C.R.2006

Muskogee, Indian Territory, April 8, 1904.

Jack John,

In care of S. T. Johns,

Box 46,

Kemp, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of April 1, 1904, in which you ask if you can be permitted to make selection of allotment for your deceased wife, Sally John, and if your present wife, Maggy John, is entitled to a share in the lands of the Choctaw and Chickasaw Nations.

In reply to your letter you are advised that it appears from our records that on April 11, 1903, the Commission rendered a decision identifying you, your wife, Sallie John, and minor child, Olevia John, as full-blood Mississippi Choctaws, of which action you were duly notified on April 27, 1903.

It further appears from our records that on September 26, 1903, you appeared at the Chickasaw Land Office, at Tishomingo, Indian Territory, and testified relative to the removal to and settlement within the Choctaw-Chickasaw country of yourself and minor child, Olevia John. At that time you stated that your

J. J., 2.

wife, Sallie, died March 16, 1902.

As your wife, Sallie John, died prior to the date of the rendition of the decision by the Commission, identifying her as a Mississippi Choctaw, it cannot be presumed that she acquired any right to share in the distribution of the tribal property of the Choctaw and Chickasaw Nations. Therefore you cannot be permitted to make selection of allotment in her name.

Our records do not show that any person by the name of Maggie John is an applicant before the Commission for identification as a Mississippi Choctaw, and under the following provision of the act of Congress approved July 1, 1902, which was ratified by the citizens of the Choctaw and Chickasaw Nations September 25, 1902:-

"The application of no person for identification as a Mississippi Choctaw shall be received by said Commission after six months subsequent to the date of the final ratification of this agreement....."

this Commission is now without authority to receive or consider the application of any person for identification as a Mississippi Choctaw.

Respectfully.

Commissioner in Charge.

No. 2006

For Identification as a Mississippi Choctaw.

Date MAY -4 1901

Name Jack John.

Age 22. Blood full.

Post Office Paulding, Miss.

Father: Billy John - dead.

Mother: (don't know). - dead

Claims through both parents -

WIFE: Sallie John (full) 21

FATHER: Adam Lewis - dead.

MOTHER: Eliza Lewis - ✓

Children:

Mavis John 5.

John

John

Stenographer

J. I. Niles.

Choctaw MCR 2007

Frank Johnson

MCR 2007

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

The record herein is in the matter
of the application of Frank Johnson for identification as a

Mississippi Choctaw,
M.C.R. 2007.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

In the matter of the application of Frank Johnson for
identification as a Mississippi Choctaw, M.C.R. 2007

I N D E X

	Page
Original application of Frank Johnson to the Dawes Commission for identification as a Mississippi Choctaw	1
Certificate of marriage of B. F. Johnson and J. A. Blalock	4
Decision of the Commission identifying Frank Johnson as a Mississippi Choctaw	5

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
Meridian, Mississippi, May 4, 1901.

In the matter of the application for identification as a Mississippi Choctaw of Frank Johnson, ~~and others~~
Said Frank Johnson, being first duly sworn, testified as follows:-

Examination by the Commission.

Q What is your name? A Frank Johnson.
Q How old are you? A I couldn't tell you. My mother and father never told me how old I was. Somewhere along about 40 I reckon.
Q Where do you live? A In Perry County.
Q What is your postoffice? A Brown, Mississippi.
Q How long have you lived in Mississippi? A Been raised in Mississippi.
Q Born here? A Yes sir.
Q Never have lived anywhere else? A No sir.
Q What is your father's name? A Johnson.
Q That the only name he ever had? A A The only one I know of.
Q Did he have a Choctaw name? A I think he did, Sokofrachatub-
bee.
Q Is your father living? A No sir.
Q Was he a full blood Choctaw? A Yes sir.
Q What is your mother's name? A Her name was Sallie.
Q Did she have any Choctaw name? A She might have but I don't know.
Q Is your mother living? A No sir.
Q Was she a full blood Choctaw? A Yes sir.
Q Your mother and father always live here in Mississippi? A Yes sir.
Q All of your ancestors, your foreparents, always live here?
A Yes sir, all that I know of.
Q Were your father and mother ever recognized in any manner as members of the Choctaw Tribe of Indians? A I don't know anything about that.
Q Are you married? A I lost my wife.
Q What was her name? A Josephine.
Q Was she a full blood Choctaw? A Yes sir.
Q She always lived here in Mississippi, did she? A Yes sir.
Q She is dead now? A Yes sir.
Q Was she the mother of your three children? A Yes sir.
Q What are the names and ages of your three children under 21 years of age and unmarried? What is the name of the oldest one?
A Jim P. Johnson.
Q How old is Jim? A 19 years.
Q The next one? A John P. Johnson.
Q How old is he? A I think he is about----- I don't know as I can tell.
Q How big a boy is John P.? A He is two years younger than Jim.
Q About 17 then? A Yes sir.
Q The next one? A Mamie.
Q How old is Mamie? A About 15.
Q You are the father of these children? A Yes sir.
Q Is Josephine Johnson the mother? A Yes sir.
Q Are these children living with you now? A Yes sir.
Q You just want to make application for yourself and your three children? A Yes sir.
Q Haven't your three children already made application for themselves? A Yes sir, I think so.

- Q They have been here before the Commission since we have been here at Meridian, haven't they? A Yes, they been here, but I didn't know anything about it when I come.
- Q Is your name on any of the tribal rolls of the Choctaw Nation in the Indian Territory? A No sir.
- Q Did you ever make application, ever apply to the Choctaw Tribal authorities in the Indian Territory to be enrolled with that Tribe out there? A No sir.
- Q In 1896, when the Commission was empowered by the Act of Congress of June 10, 1896, to hear and determine original applications for citizenship in the Choctaw Nation, did you make application to the Commission at that time? A Well, I made application to somebody at one time.
- Q When was that? A That has been a good while ago.
- Q How long ago? A About five years ago, I reckon.
- Q What kind of an application did you make five years ago? A Well, a man come out there and wanted us to make application through him and wanted half of our claim.
- Q Did you ever hear anything from it? A No sir.
- Q Have you ever been admitted to citizenship in the Choctaw Nation by the Choctaw Tribal authorities, the Commission to the Five Civilized Tribes, or by the United States Court in Indian Territory? A No sir.
- Q With the exception of this application, you say you made in 1896, five years ago, have you ever before this been before the Commission and made an application? A No sir, I don't remember I have.
- Q You should remember? A Well, that is what they say.
- Q Where? A The one I was telling you about.
- Q Besides that? A No sir.
- Q Did anybody make application for you at Decatur, Carthage or Philadelphia, Mississippi? A No sir.
- Q This is the first one you have made for yourself? A Yes sir.
- Q You are now making application for identification as a Mississippi Choctaw? A Yes sir.
- Q Do you claim your rights as a beneficiary under the provisions of the 14th article of the treaty of 1830? A I don't know.
- Q Do you know what that is? ----

The treaty of 1830 was made between the Choctaws here in Mississippi and the United States Government and provided for the removal of the Choctaws from Mississippi to the Indian Territory and the 14th article of that treaty gave those Choctaws who wanted to remain here the right to do so. If they wanted to remain, they were to go to the United States Indian Agent for the Choctaws here in Mississippi and signify to him their intention to remain and upon doing so they were given certain tracts of land, such intention was to be signified within six months after the ratification of this treaty. The 14th article of the treaty further provided that any Choctaws who availed themselves of that right did not lose any of the privileges of Choctaw citizens, except the right to participate in the annuity of the Choctaw Tribe.

- Q You claim that you are a descendant of those Choctaws who remained here in Mississippi? A Yes sir.
- Q Did any of your ancestors remove from Mississippi to the Indian Territory at the time of the removal of the Choctaw Indians? A No sir.
- Q Did any of them, within six months after the ratification of the treaty of 1830 signify to the United States Indian Agent of the Choctaws in Mississippi of their intention to remain in Mississippi and become citizens of the United States? A No sir.
- Q Did any of your ancestors claim or receive any land from the United States Government under this 14th article of the treaty of

1830? A No sir, I don't know anything about it.

Q Your mother and father always lived in Mississippi, did they?

A Yes sir.

Q Did their mother and father always live here? A Yes sir.

Q As far as you know then, all your ancestors have always lived in Mississippi? A Yes sir.

Q Did you ever hear of any of them ever receiving any papers as Choctaw Indians? A No sir.

Q Is there any additional statement that you desire to make in support of your application, anything that you want to say that you believe to be material and would benefit your claim, anything about your ancestors that might not have been asked you? A I don't understand that?

Q Do you know anything about your foreparents that you want to say about their being recognized as members of the Choctaw Tribe?

A I don't know.

Q Have you any documentary evidence, any papers or writing of any description, any records, deeds or patents, or any papers that would show that your ancestors were ever recognized members of the Choctaw Tribe of Indians in Mississippi in 1830, or that they ever complied or attempted to comply with the provisions of the 14th article of the treaty of 1830 or that they ever received any benefits under that article of that treaty? A I don't know.

Q Have you any such papers? A No sir.

The applicant in this case is to every appearance a Choctaw Indian and speaks the Choctaw language. In his testimony it appears that he and his ancestors have always resided in the State of Mississippi and that they have never received any benefits as Choctaw Indians from either the Choctaw Tribal authorities or the United States Government. The applicant has no knowledge of any compliance by his ancestors with the provisions of the 14th article of the treaty of 1830.

The decision of the Commission as to your application for identification as a Mississippi Choctaw will be determined at the earliest possible date and report of the same made to the Secretary of the Interior, conformable to the provisions of the 21st section of the Act of Congress of June 28, 1898, and a copy of such decision will be mailed to you to your proper postoffice address as given in your testimony at this time.

Ira S. Niles, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes he reported in full the proceedings had in the above entitled cause, heard at Meridian, Mississippi, May 4, 1901, and that the above and foregoing is a full, true and correct transcription of his stenographic notes in said cause taken the day and date above mentioned.

Subscribed and sworn to before me this the 6th day of May, A.D. 1901, at Meridian, Mississippi.

[Signature]
Notary Public.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
JUN 24 1901

A handwritten signature in dark ink, appearing to be "H. H. H.", written over the "FILED" and "JUN 24 1901" text.

ACTING CHAIRMAN.

State of Miss. This is To County
Hertan & That on the 24 day
of December 1876 That B. H. Johnson
and J. H. Blum was duly married
by Isaac Huntington a Minister
of the Gospel and 1876 or 77
the Records of this County was
destroyed by fire since I could
not get a copy from the Records
this 20 day of June 1901

A. W. B. Seary
J. H. Seary

Given under my hand this 20
day of June 1901

Wm. B. Seary
Justice of the Peace
Hertan County Miss

Cow.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

In the matter of the application of Frank Johnson for
identification as a Mississippi Choctaw, M.C.R. 2007.

-----D E C I S I O N -----

It appears from the record herein that application for
identification as a Mississippi Choctaw was made to this Commission
on May 4, 1901, by Frank Johnson for himself, under the following
provision of the Act of Congress approved June 28, 1898 (30 Stats.
495):

"Said Commission shall have authority to determine the
identity of Choctaw Indians claiming rights in the Choctaw
lands under article fourteen of the treaty between the United
States and the Choctaw Nation, concluded September twenty-
seventh, eighteen hundred and thirty, and to that end may
administer oaths, examine witnesses and perform all other acts
necessary thereto and make report to the Secretary of the
Interior."

From the evidence submitted in support of said application
it appears that the applicant is a full blood Mississippi Choctaw
Indian.

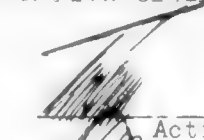

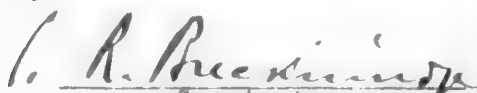
Section forty-one of the Act of Congress entitled "An Act
to ratify and confirm an agreement with the Choctaw and Chickasaw

tribes of Indians, and for other purposes" approved July 1, 1901, (32 Stats. 641) and ratified by the Choctaw and Chickasaw Nations September 25, 1902, provides as follows:

"The application of no person for identification as a Mississippi Choctaw shall be received by said Commission after six months subsequent to the date of the final ratification of this agreement and in the disposition of such applications all full-blood Mississippi Choctaw Indians and the descendants of any Mississippi Choctaw Indians whether of full or mixed blood, who received a patent to land under the said fourteenth article of the said treaty of eighteen hundred and thirty who had not moved to and made bona fide settlement in the Choctaw-Chickasaw country prior to June twenty-eighth, eighteen hundred and ninety-eight, shall be deemed to be Mississippi Choctaws, entitled to benefits under article fourteen of the said treaty of September twenty-seventh, eighteen hundred and thirty, and to identification as such by said Commission, but this direction or provision shall be deemed to be only a rule of evidence and shall not be invoked by or operate to the advantage of any applicant who is not a Mississippi Choctaw of the full blood, or who is not the descendant of a Mississippi Choctaw who received a patent to land under said treaty, or who is otherwise barred from the right of citizenship in the Choctaw Nation, all of said Mississippi Choctaws so enrolled by said Commission shall be upon a separate roll."

It is, therefore, the opinion of this Commission that Frank Johnson should be identified as a Mississippi Choctaw, and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES


Acting Chairman

Commissioner

Commissioner

Muskogee, Indian Territory

FEB 14 1903

5007

Muskogee, Indian Territory, October 18, 1902.

W. H. Gallaspy,

Hickory, Mississippi,

Dear Sir:

Receipt is hereby acknowledged of your letter of October 13, giving change of address of the following named applicants for identification as Mississippi Choctaws: Frank Johnson, Ben Williamson and Louis Gibson, and this change of address has been made a matter of record with the Commission.

Respectfully,

Acting Chairman.

Miss. Choctaw 1136
2007, 2008, 2010.

Muskogee, Indian Territory, November 15, 1902.

T. W. Black,

Woodville, Indian Territory,

Dear Sir:

Your letter of November 5, addressed to J. Blair Shoenfelt, Indian Agent, Muskogee, Indian Territory, has been referred to this Commission for reply. You ask therein to be advised if the names of five Mississippi Choctaws, Charley Thomas, Bob Thomas, Elijah Thomas, Frank Johnson and John Hogan, and their families, are on the tribal rolls.

In reply you are advised that it appears from our records that Frank Johnson, of Hickory, Mississippi, and Elijah Thomas, of Augusta, Mississippi, are applicants to this Commission for identification as Mississippi Choctaws; it further appears from the records of this office that Bob Thomas and Charlie Thomas, of Brown, Mississippi, are applicants for the identification of themselves, their wives and their minor children as Mississippi Choctaws. The records further show that all of the above applicants are full blood Choctaw Indians. The Commission has not yet passed upon the rights of these applicants to identification as Mississippi Choctaws, but it is prob-

T.M.R. 2

able that within the near future their applications for identification as full blood Mississippi Choctaws will be passed upon and they will be notified of the action of the Commission.

It does not appear from our records that John Hogan is an applicant for identification as a Mississippi Choctaw under the name of John Hogan. If application has been made by him as such Mississippi it would appear that the same was made under another name.

Respectfully,

Acting Chairman.

Miss. Choctaw
1136, 2007,
2008, 2010.

Muskogee, Indian Territory, November 18, 1902.

T. W. Black,

Woodville, Indian Territory,

Dear Sir:

Receipt is hereby acknowledged of your letter of November 14 asking the status of the following Mississippi Choctaws: Charley Thomas, Bob Thomas and Frank Johnson.

In reply your attention is invited to a letter of the Commission of November 16, 1902, which it is believed fully answers the questions contained in your letter of November 14, 1902.

Respectfully,

Commissioner in Charge.

M.C.R. 2008
" 1136
" 2007
" 2010

Muskogee, Indian Territory. February 13, 1903.

Bob Thomas,

Hugo, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of the joint letter of yourself, Charlie Thomas, Elijah Thomas and Frank Johnson, advising that Hugo, Indian Territory, is your present address.

The same has been made a matter of record with the Commission.

Respectfully,

Acting Chairman.

OPY.

Waskogee, Indian Territory, February 21, 1903.

Mansfield, McMurray & Cornish,

Attorneys for the Choctaw and Chickasaw Nations,
South McAlester, Indian Territory.

Gentlemen:

Enclosed herewith you will find a copy of the decision of the Commission rendered February 14, 1903, identifying Frank Johnson as a Mississippi Choctaw Indian under the provisions of the forty-first section of the act of Congress approved July 1, 1902, (32 Stats., 641).

You are hereby advised that you will be allowed fifteen days from the date hereof, in which to file with this Commission such protest as you desire to make against the action of the Commission in identifying the said Frank Johnson as a Mississippi Choctaw, and make satisfactory proof of service of said protest upon the applicant herein.

If you fail to file such protest within the time allowed, the name of the applicant herein will be placed upon the schedule of duly identified Mississippi Choctaws now being prepared by this Commission.

Respectfully,

(SIGNED).

Tame Dixby.

Acting Chairman.

Register
GR-encl-21-24.

H.C.R.2007.

Muskogee, Indian Territory, March 11, 1903.

Frank Johnson,

Hugo, Indian Territory.

Dear Sir:

Enclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered February 14, 1903, identifying you as a Mississippi Choctaw Indian, under the provisions of section 41 of the act of Congress approved July 1, 1902, (32 Stats., 641).

If you remove to the Choctaw-Chickasaw country, Indian Territory, before August 14, 1903, you will have six months from that date, or until February 14, 1904, within which to make proof of such removal and settlement at the office of the Commission at Atoka, Choctaw Nation, or Tishomingo, Chickasaw Nation.

Respectfully,

(SIGNED)

Tame Parby
Chairman.

Registered.

Enc.: 2007.

MCR 2007

Muskogee, Indian Territory, May 29, 1903.

Commissioner in Charge,
Chickasaw Land Office,
Tishomingo, Indian Territory.

Dear Sir:

You are hereby advised that the following notations have
this day been made upon Mississippi Choctaw Identified card No.

110:

SETTLEMENT ADDRESS: "Hugo, Ind. Ter."

DATE OF PROOF OF SETTLEMENT: "May 18, 1903."

You are requested to make like notations upon the duplicate card in your possession in accordance with the above information.

Respectfully,

Commissioner in Charge.

For Identification as a Mississippi Choctaw.

Date MAY - 4 1901

Name

Frank Johnson.

Age

40

Blood

full.

Post Office

(Brown, Miss.

Father:

-- Johnson - dead.

Mother:

-- Sallie - dead.

Claims through

both parents

WIFE:

Josephine Johnson - dead
(wife was full blood).

Children:

Stenographer

A. I. Niles.

FOY IDENT

MISSIE

Frank Johnson

**COPY OF DECISION FORWARDED
APPLICANT**

MAR 11 1903

Choctaw MCR 2008

Elijah Thomas

MCR 2008

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

The record herein is in the matter of
the application of Elijah Thomas for identification as
a Mississippi Choctaw,

M.C.R. 2008

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

In the matter of the application of Elijah Thomas for
identification as a Mississippi Choctaw, M.C.R. 2008.

I N D E X

	Page
Original application of Elijah Thomas to the Dawes Commission for identification as a Mississippi Choctaw	1
Decision of the Commission identifying Elijah Thomas as a Mississippi Choctaw	4

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES?
Meridian, Mississippi, April 19, 1901.

In the matter of the application of John B. Thomas for the identification of himself, his wife and three minor children as Mississippi Choctaws.

John B. Thomas being first duly sworn testified as follows:

Examination by the Commission:

- Q What is your name? A John B. Thomas.
Q What is your age? A 25, somewhere along there.
Q What is your postoffice address? A Avera, Green county, Miss.
Q How long have you lived in Mississippi? A I don't know.
Q Born and raised here were you? A Yes sir.
Q Is your father living? A Yes sir.
Q What is his name? A Elijah Thomas.
Q Is your mother living? A No.
Q What was her name? A I don't know what her name was.
Q Did your father have an Indian name? A Yes.
Q What was it in Choctaw? A I don't know.
Q Through which one of your parents do you derive your Choctaw blood? A I don't know.
Q Were your mother and father both full blood Choctaw Indians?
A Yes sir.
Q You get it through both of them then? A Yes.
Q You are a full blood Choctaw then? A Yes.
Q Are you married? A yes sir.
Q What is your wife's name? A Emma Thomas.
Q Do you want to make application in behalf of your wife?
A No, I want to put in the children.
Q Where does your wife live? A Close to Hattiesburg.
Q Do your children live with you or with your wife? A With me.
Q What are the names and ages of the children for whom you want to make application? A Ada 7 years, Joshua 6 years and Henry 1 year.
Q Why did you and your wife separate? A Four years ago.
Q This youngest child is not the child of you and Emma? A Yes.
Q Did you go back and live together again after she left you four years ago? A I don't understand.

Through Official Interpreter Isham Johnson:

- Q He stated that he separated from his wife four years ago, and his youngest child was only one year old. Ask him in Choctaw if this is correct? A Yes, little over a year ago.
Q He says he separated just a little over a year ago? A Yes. He didn't understand a little while ago.
Q Ask him if these children are living with him or with his wife?
A With his wife.
Q Ask him if they have always lived with his wife, the children?
A Yes sir.
Q Ask him how far he lives from his wife? A About 8 miles.
Q Ask him if his wife has had these children with her ever since they separated? A Yes sir.
Q Ask him if he is married again? A No.
Q Tell him that his wife will have to make application for these children.

Attorney for applicant, L. P. Hudson, asks that applicant be allowed to make application for these minor children who are now in the custody of his wife, he and his wife being separate and apart, but still being husband and wife.

- Q Do you support these children? A Yes sir.
Q Why don't you live with them? A He says he is trying to live with her but she won't allow it; he went over there sometime ago and tried to live with her but she didn't want him.
Q How are you married to your wife? A He said ~~he~~ it is just keep-

- ing her; that is all I can get out of him.
- Q Were you married under a license at all, or were you married the way the Choctaw Indians marry? A That's what he said.
- Q Was there any ceremony? A He says he don't understand that.
- Q Explain to him how he was married. I understand these Indians did not obtain a license; according to the United States law they used to meet together, a lot of the Choctaws, and when a man and woman wanted to live together as man and wife they had a kind of ceremony; were they married that way? A Yes.
- Q Have you ever been divorced from this woman? A He says he don't know.
- Q Have you ever attempted to keep these children with you? A Yes, he attempted to keep these children but she wouldn't give them up and he didn't bother her any more.
- Q He surrendered possession of the children to her? A Yes.
- Q Does your wife expect to make application for identification as a Mississippi Choctaw? A He don't know; she never said whether she would put in an application or not.
- Q Why do you want to make application for these children? What interest have you in them? A He said he wanted to make application to have his young ones.
- Q You don't claim any interest for your wife any more do you?
- A He says his idea was to help out all he could with it.
- Q Is your wife a full blood? A Yes sir.
- Q Why don't you want to make application for your wife? Have you ever attempted to go back and live with her? A Yes, he tried it.
- Q And she wouldn't live with you? A No, she wouldn't; she don't want it.
- Q Ask him why he don't want to make application for his wife?
- A He said that he would put in an application for her.
- In the event that applicant will make application for the identification of his wife, he may also make application for his three minor children.
- Q What is your wife's age? A 35 years.
- Q When were you married to Emma Thomas? A He says along about seven years ago as near as he can get at it.
- Q Is your wife's father living? A No, he is dead.
- Q What is your wife's father's name? A Lewis Hawkins.
- Q Was Lewis Hawkins a full blood Choctaw? A Yes sir.
- Q Is your wife's mother living? A No.
- Q What was her name? A Don't know.
- Q Was your wife's mother a full blood Choctaw? A Yes sir.
- Q You claim for your wife as a full blood do you? A Yes sir.
- Q Were either your wife's father or mother ever recognized in any manner or enrolled as members of the Choctaw tribe of Indians either by the Choctaw tribal authorities or by the authorities of the United States? A I think not.
- Q Ask him if Emma Thomas is the mother of all three of these children whose names he has given in? A Yes sir.
- Q Ask him if he is the father of all three of them? A Yes.
- Q Ask him whether his name, or his wife's name or the names of any one of these three minor children appear upon the Choctaw tribal rolls out in Indian Territory? A He says all right; that is all I can get out of him.
- Q Can you explain that to him; ask him whether the names appear on the rolls out there? A He don't understand what I tell him.
- Q He don't know then? A A No, couldn't catch onto it.
- Q Ask him if he ever tried to have any of their names put on the rolls out there? A No.
- Q Did you, or did anyone for you, in the year 1896, make application to the Commission to the Five Civilized Tribes in your own behalf or in behalf of your wife or any of these minor children, for citizenship in the Choctaw nation? A No.
- Q Have you or your wife or any of these minor children ever been admitted to citizenship in the Choctaw nation, either by the

3-John B. Thomas.

- Choctaw tribal authorities, the Commission to the Five Civilized Tribes, or the United States court in Indian Territory? A No.
- Q Have you ever made application prior to this time to either the Choctaw tribal authorities, or to the United States authorities to be enrolled or admitted as a member or citizen of the Choctaw nation? A Yes, I appeared at Decatur two years ago.
- The records of the Commission show that on February 8, 1899, John B. Thomas appeared before the Commission to the Five Civilized Tribes at Decatur, Mississippi and there made application for the identification of himself, his wife and two minor children as Mississippi Choctaws; his testimony given the Commission at that time is as follows: "I am 21 years old and a full blood Choctaw; my wife is a full blood named Emma 23 years old. We have two children, Ada 3 and Joshua 1 year old."
- The names of these persons also appear on Mississippi Choctaw card Field No. 457.
- Also upon page 98 of the schedule of Mississippi Choctaws which accompanied the report of the Five Civilized Tribes to the secretary of the Interior on March 10, 1899, of Choctaws residing in Mississippi and claiming rights in the Choctaw lands under the provisions of the 14th article of the treaty of Dancing Rabbit Creek, being numbers 1656, 1657, 1658 and 1659 respectively thereon.
- Q What is the name of your youngest child, did you say? A Henry.
- Q When was Henry born? A He was born last year; I don't know what day it was.
- Q Do you know the month he was born in? A No.
- Q Henry was born then, since you appeared before the Commission at Decatur, was he? A Yes, since that.
- Q Ask him if he now desires to make application for the identification of himself, his wife and these three minor children as Mississippi Choctaws? A Yes.
- Q Do you claim your right as a beneficiary under the provisions of the 14th article of the treaty of Dancing Rabbit Creek? A Yes.
- Q Ask him if either he or his wife have ever received any benefits as Choctaw Indians? A Don't know.
- Q Ask him if he wants to make claim for his wife in the same manner as for himself under this 14th article? A Yes.
- Q Ask him if any of his ancestors or any of his wife's ancestors have ever received any benefits as Mississippi Choctaws? A Don't know.
- Q Ask him whether any of his ancestors were living here in Mississippi in 1830 when the treaty of Dancing Rabbit Creek was made? A Don't remember.
- Q Were you or your wife's ancestors living here in Mississippi in 1830 when this treaty was made? A Don't know.
- Q Ask him if any of his ancestors or his wife's ancestors were, at the time this treaty was made in 1830, recognized members of the Choctaw tribe of Indians? A Don't reckon so.
- Q Ask him whether any of his ancestors or his wife's ancestors removed from the territory occupied by the Choctaws in Mississippi and Alabama at the time a great many members of the Choctaw nation moved out there between the years 1833 and 1838? A Don't know.
- Q Ask him if any of his ancestors or his wife's ancestors appeared before the United States Indian agent for the Choctaws located in Mississippi at any time within six months from the time the treaty of 1830 was ratified and signified to the said Indian agent their intention to remain in Mississippi and become citizens of the states? A Don't know.

4-John B. Thomas.

- Q Ask him whether any of his or his wife's ancestors ever received any land in Mississippi as beneficiaries under the 14th article of the treaty of 1830? A Don't remember; son't know.
- Q Has your father a Choctaw name? A I don't know.
- Q Do you know the names of any of your grandparents? A No.
- Q Do you know the names of any of your wife's grandparents? A No.
- Q Ask him if there is any additional statement that he wats to make in support of this application? A No.
- Q Have you any documentary evidence, affidavits, written testimony of any description, copies of redordsm deeds or patents, or any proper papers showing that your ancestors or any of your wife's ancestors were ever recognized as members of the Choctaw tribe of Indians in 1830, or that they ever complied or attempted to comply with the provisions of the 14th article of the treaty of 1830 or that they have ever received any benefits under that article of that treaty? A No.

This applicant has ever appearance and characteristic of a full blood Choctaw Indian; he speaks the Choctaw language and very little English. From his testimony it appears that he has no knowledge that either he or his wife or any of their encestors ever received any benefits whatever as Choctaw Indians, or that they ever complied or attempted to comply with the provisions of the 14th article of the treaty of 1830.

The decision of the Commission as to your application for the identification of yourself, your wife and your three minor children as Mississippi Choctaws will be determined at the earliest possible date and report of the same made to the Secretary of the Interior, conformable to the 21st section of ~~the~~ the act of Congress of June 28, 1898, and a copy of the same will be mailed to your at your proper post-office address as given in your testimony.

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Frances R. Brown having been first duly sworn upon oath states that as stenographer to the Commission to the Five Civilized Tribes she reported in full all proceedings had in the above entitled cause on the 19th day of April, 1901, and the above and foregoing is a full true and correct transcript of her stenographic notes of said proceedings on said date.

Frances R. Brown

Subscribed and sworn to before me this 25th day of April, 1901, at Meridian, Mississippi.

[Signature]
Notary Public.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
Meridian, Mississippi, May 4, 1901.

In the matter of the application for identification as a Mississippi Choctaw of Elijah Thomas.

Said Elijah Thomas, being first duly sworn through Choctaw Interpreter Isham Johnston, testified as follows:-

Examination by the Commission.

- Q What is your name? A Elijah Thomas.
Q How old are you? A I don't know how old; I reckon about 52.
Q Where do you live? A Jasper County.
Q What is your postoffice address? A Augusta.
Q Where is that? A Perry County.
Q How long have you lived in Mississippi? A I reckon about 50 years.
Q Born here? A Yes sir.
Q Never have lived anywhere else? A Yes sir.
Q What is your father's name? A Jake Thomas.
Q Is your father living? A No sir.
Q Was he a full blood Choctaw Indian? A Yes sir.
Q Did he always live here in Mississippi? A Yes sir.
Q Did he have a Choctaw name? A Yes sir.
Q Do you know what his Choctaw name was? A Yes sir.
Q What was it? A Sukkubbee.
Q What is your mother's name? A Martha.
Q Is your mother living? A No sir.
Q Was your mother a full blood Choctaw? A Yes sir.
Q Did she have any Choctaw name? A I don't know; I never heard it.
Q Did she always live here in Mississippi? A Yes sir.
Q Are ~~xx~~ you married? A Yes, I married once; my wife died.
Q Have you any children who are unmarried, any young children?
A No sir.
Q You are just making this application for yourself, are you?
A Yes sir.
Q Is your name on any of the tribal rolls of the Choctaw Nation in the Indian Territory? A That is, have you ever been enrolled by the Choctaws in the Indian Territory? A No sir.
Q Did you ever apply to them? A No sir.
Q Do you remember five years ago, in 1896, when a great many of these Indians here in Mississippi made application to the Dawes Commission in Indian Territory under the Act of June 10, 1896, to be enrolled as citizens out there? A I don't know.
Q Did you make an application, then, five years ago, in writing?
A No sir.
Q Have you ever been admitted to citizenship in the Choctaw Nation by either the Choctaw Tribal authorities in the Indian Territory, by the Commission to the Five Civilized Tribes, or by the United States Court in Indian Territory? In other words, have you ever been admitted to citizenship in the Indian Territory? A No sir.
Q Have you ever made an application to either the Choctaw authorities or to the United States authorities to be admitted or enrolled as a member of the Choctaw Tribe? A No sir.
Q Did anyone ever make an application for you?
A (By the interpreter) He made application at Decatur.
Q You were before the Commission at Decatur, Mississippi, in February, 1899, wasn't you? A Yes sir, I don't know what day.

This applicant is the identical Elijah Thomas who appeared before the Commission at Decatur, Mississippi, February 8, 1899, and made application for identification as a Mississippi Choctaw. His name

appears on Mississippi Choctaw Card, Field No.456 and upon the schedule annexed to the report of the Commission of March 10, 1899, page No.97, Roll No.1655, as Elijah Thomas.

Q You are now making application for identification as a Mississippi Choctaw? A Yes.

Do you claim your rights as a beneficiary under the provisions of the 14th article of the treaty of 1830? A Yes.

Q Have you ever received any benefits in land or money as a Choctaw Indian? A No.

Q Did any of your forefathers, your ancestors, ever receive any benefits from either the United States Government or the Choctaw Tribal authorities as Choctaw Indians? A No.

Q Did any of your ancestors or foreparents, after the ratification of the treaty of 1830, remove with the other Choctaws from Mississippi to the present Choctaw Nation in the Indian Territory?

A No; I don't know.

Q Did any of your foreparents, your ancestors, after the ratification of this treaty, go to the United States Indian Agent of the Choctaws here in Mississippi and signify to him their intention to remain in Mississippi and become citizens of the United States?

A No.

Q Did any of your ancestors ever claim or receive any land from the United States Government as beneficiaries under the provisions of the 14th article of the treaty of 1830? A No.

Your people, your mother and father and their parents, as far as you know, have always lived here in Mississippi? A Yes, always lived here.

Q Is there any statement that you want to make about your people as to their having been recognized as members of the Choctaw Tribe of Indians? A No.

Q Have you any documentary evidence, any affidavits, written testimony of any description, certified copies of records, deeds, patents, or any proper evidence that would show that your ancestors were ever recognized or considered as members of the Choctaw Tribe of Indians, or that they ever complied or attempted to comply with the provisions of the 14th article of the treaty of 1830 or that they have ever received any benefits as Choctaw Indians under that article of that treaty? A No.

The appearance of John S. Hagler, attorney for applicant, noted.

The applicant in this case is to every appearance a full blood Choctaw Indian, speaks the Choctaw language and a little broken English. It appears from his testimony that both he and his ancestors have always resided in the State of Mississippi and never have received and benefits as Choctaw Indians either from the Choctaw Tribal authorities or the United States Government. The applicant has no knowledge of any compliance by his ancestors with the provisions of the 14th article of the treaty of 1830.

The decision of the Commission as to your application for identification as a Mississippi Choctaw will be determined at the earliest possible date and report of the same made to the Secretary of the Interior, conformable to the provisions of the 21st section of the Act of Congress of June 28, 1898, and a copy of such decision will be mailed to you to your proper postoffice address as given in your testimony at this time.

Ira S. Niles, being first duly sworn, states that as steno-

Elijah Thomas -----3

grapher to the Commission to the Five Civilized Tribes he reported in full the proceedings had in the above entitled cause, heard at Meridian, Mississippi, May 4, 1901, and that the above and foregoing is a full, true and correct transcription of his stenographic notes in said cause taken the day and date above mentioned.

E. J. Kice

Subscribed and sworn to before me this the 6th day of May, A.D.1901/
at Meridian, Mississippi.

[Signature]
Notary Public.

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DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

In the matter of the application of Elijah Thomas for
identification as a Mississippi Choctaw, M.C.R. 2008.

-----D E C I S I O N -----

It appears from the record herein that application for
identification as a Mississippi Choctaw was made to this Commission
on May 4, 1901, by Elijah Thomas for himself, under the following
provision of the Act of Congress approved June 28, 1898 (30 Stats.
495):

"Said Commission shall have authority to determine the
identity of Choctaw Indians claiming rights in the Choctaw
lands under article fourteen of the treaty between the United
States and the Choctaw Nation, concluded September twenty-
seventh, eighteen hundred and thirty, and to that end may
administer oaths, examine witnesses and perform all other
acts necessary thereto and make report to the Secretary of the
Interior."

From the evidence submitted in support of said application
it appears that the applicant is a full blood Mississippi Choctaw
Indian.

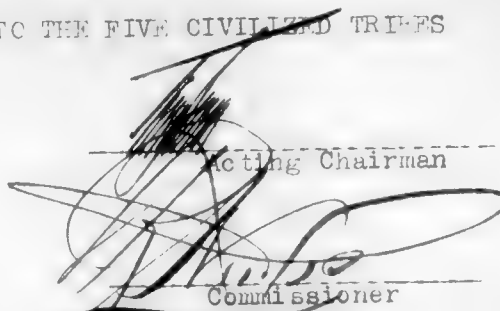
Section forty-one of the Act of Congress entitled "An Act
To ratify and confirm an agreement with the Choctaw and Chickasaw
tribes of Indians, and for other purposes" approved July 1, 1902,

(32 Stats. 641) and ratified by the Choctaw and Chickasaw Nations September 15, 1902, provides as follows:

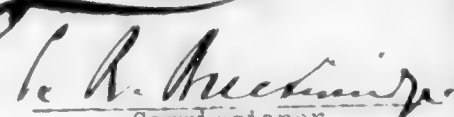
"The application of no person for identification as a Mississippi Choctaw shall be received by said Commission after six months subsequent to the date of the final ratification of this agreement and in the disposition of such applications all full-blood Mississippi Choctaw Indians and the descendants of any Mississippi Choctaw Indians whether of full or mixed blood who received a patent to land under the said fourteenth article of the said treaty of eighteen hundred and thirty who had not moved to and made bona fide settlement in the Choctaw-Chickasaw country prior to June twenty-eighth, eighteen hundred and ninety-eight, shall be deemed to be Mississippi Choctaws, entitled to benefits under article fourteen of the said treaty of September twenty-seventh, eighteen hundred and thirty, and to identification as such by said Commission, but this direction or provision shall be deemed to be only a rule of evidence and shall not be invoked by or operate to the advantage of any applicant who is not a Mississippi Choctaw of the full blood, or who is not the descendant of a Mississippi Choctaw who received a patent to land under said treaty, or who is otherwise barred from the right of citizenship in the Choctaw Nation, all of said Mississippi Choctaws so enrolled by said Commission shall be upon a separate roll."

It is, therefore, the opinion of this Commission that Elijah Thomas should be identified as a Mississippi Choctaw, and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES


Acting Chairman


Commissioner


Commissioner

Muskogee, Indian Territory

FEB 14 1903

Miss. Choctaw 1136
2007, 2008, 2010.

Muskogee, Indian Territory, November 10, 1902.

T. W. Black,

Woodville, Indian Territory,

Dear Sir:

Your letter of November 5, addressed to J. Blair Shoenfelt, Indian Agent, Muskogee, Indian Territory, has been referred to this Commission for reply. You ask therein to be advised if the names of five Mississippi Choctaws, Charley Thomas, Bob Thomas, Elijah Thomas, Frank Johnson and John Hogan, and their families, are on the tribal rolls.

In reply you are advised that it appears from our records that Frank Johnson, of Hickory, Mississippi, and Elijah Thomas, of Augusta, Mississippi, are applicants to this Commission for identification as Mississippi Choctaws; it further appears from the records of this office that Bob Thomas and Charlie Thomas, of Brown, Mississippi, are applicants for the identification of themselves, their wives and their minor children as Mississippi Choctaws. The records further show that all of the above applicants are full blood Choctaw Indians. The Commission has not yet passed upon the rights of these applicants to identification as Mississippi Choctaws, but it is prob-

T.M.P. 2

able that within the near future their applications for identification as full blood Mississippi Choctaws will be passed upon and they will be notified of the action of the Commission.

It does not appear from our records that John Hogan is an applicant for identification as a Mississippi Choctaw under the name of John Hogan. If application has been made by him as such Mississippi it would appear that the same was made under another name.

Respectfully,

Acting Chairman.

Miss. Chootaw
1136, 2007,
2008, 2010.

Muskogee, Indian Territory, November 18, 1902.

T. W. Black,

Woodville, Indian Territory,

Dear Sir:

Receipt is hereby acknowledged of your letter of November 14 asking the status of the following Mississippi Chootaws: Charley Thomas, Bob Thomas and Frank Johnson.

In reply your attention is invited to a letter of the Commission of November 15, 1902, which it is believed fully answers the questions contained in your letter of November 14, 1902.

Respectfully,

Commissioner in Charge.

M C R 2008
~~M C R 2087~~
~~M C R 8192~~

Muskogee, Indian Territory, January 22, 1903.

C. W. Baylis,

Eastabuchie, Mississippi.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 16th inst., in which you ask to be advised if Elijah Thomas and son, John, Kip Reed and two children and John Hogan, full blood Mississippi Choctaw Indians are enrolled. You ask to be furnished a copy of the Commission's report to the Secretary of the Interior.

In reply to your letter you are informed that it appears from the records of the Commission that Elijah Thomas, John Thomas and three minor children, Kip Reed and wife and minor child and minor step-child are applicants to this Commission for identification as Mississippi Choctaws. The Commission has not up to the present time reached any opinion or decision relative to the right of these persons to be identified as such Mississippi Choctaws, but is now considering their applications and it is probable decisions will be rendered in the near future. The applicants will be duly notified of the action of the Commission and of the forwarding of the record to the Secretary of the Interior.

In compliance with your request a copy of the Ninth Annual Report of the Commission to the Five Civilized Tribes to the Sec-

C W Baylis---2

retary of the Interior is this day forwarded to you under separate cover.

Respectfully,

Commissioner in Charge,

Enc. 9 An.Rep.

M.C.R. 2747
M.C.R. 2008

Wuskogee, Indian Territory, February 4, 1903.

J.S. Williams,

Hugo, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 22d ultimo by reference from Commissioner Breckinridge. Therein you ask if the Commission has passed upon the applications of Thomas Fortune and Elijah Thomas filed with the Commission in Mississippi. You also ask if the Commission has passed upon the applications of any of the Mississippi Choctaws since June 30, 1902.

In reply to your letter, you are informed that it appears from the records of the Commission that Tom Fortune is an applicant for the identification of himself and minor children as Mississippi Choctaws; and that Elijah Thomas is an applicant for identification as a Mississippi Choctaw.

The Commission has not up to the present time reached any opinion or decision relative to the right of these applicants to be identified as Mississippi Choctaws, but is now considering

J S W 2

their applications and it is probable that decisions will be rendered in the near future when the applicants will be duly notified of the action of the Commission, and of the forwarding of the records to the Secretary of the Interior.

You are advised that the Commission is now considering Mississippi Choctaw applications, and upon the rendition of decisions such applicants are notified of the action of the Commission and of the forwarding of the records in their cases to the Secretary of the Interior.

Respectfully,

Acting Chairman.

M.C.R. 2008
" 1136
" 2007
" 2010

Muskogee, Indian Territory, February 13, 1905.

Bob Thomas,

Hugo, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of the joint letter of yourself, Charlie Thomas, Elijah Thomas and Frank Johnson, advising that Hugo, Indian Territory, is your present address.

The same has been made a matter of record with the Commission.

Respectfully,

Acting Chairman.

WY.

M.C.R. 2008

Muskogee, Indian Territory, February 21, 1903.

Mansfield, McMurray & Cornish,

Attorneys for the Choctaw and Chickasaw Nations,
South McAlester, Indian Territory.

Gentlemen:

Enclosed herewith you will find a copy of the decision of the Commission rendered February 14, 1903, identifying Elijah Thomas, as a Mississippi Choctaw Indian under the provisions of the forty-first section of the act of Congress approved July 1, 1902, (32 Stat., 641).

You are hereby advised that you will be allowed fifteen days from the date hereof, in which to file with this Commission such protest as you desire to make against the action of the Commission in identifying the said Elijah Thomas as a Mississippi Choctaw, and make satisfactory proof of service of said protest upon the applicant herein.

If you fail to file such protest within the time allowed, the name of the applicant herein will be placed upon the schedule of duly identified Mississippi Choctaws now being prepared by this Commission.

Respectfully,

RECORDED

Tams Dixby
Acting Chairman.

Registered.
Enc. M.C. 20

COPY.

M.C.R. 2008

Muskogee, Indian Territory, March 11, 1903

Elijah Thomas,

Hugo, Indian Territory.

Dear Sir:-

Enclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered February 14, 1903, identifying you as a Mississippi Choctaw Indian under the provisions of section 41 of the act of Congress approved July 1, 1902 (32 Stats. 641).

If you remove to the Choctaw-Chickasaw country, Indian Territory, before August 14, 1903, you will have six months from that date, or until February 14, 1904, within which to make proof of such removal and settlement at the office of the Commission at Atoka, Choctaw Nation, or Tishomingo, Chickasaw Nation.

Respectfully,

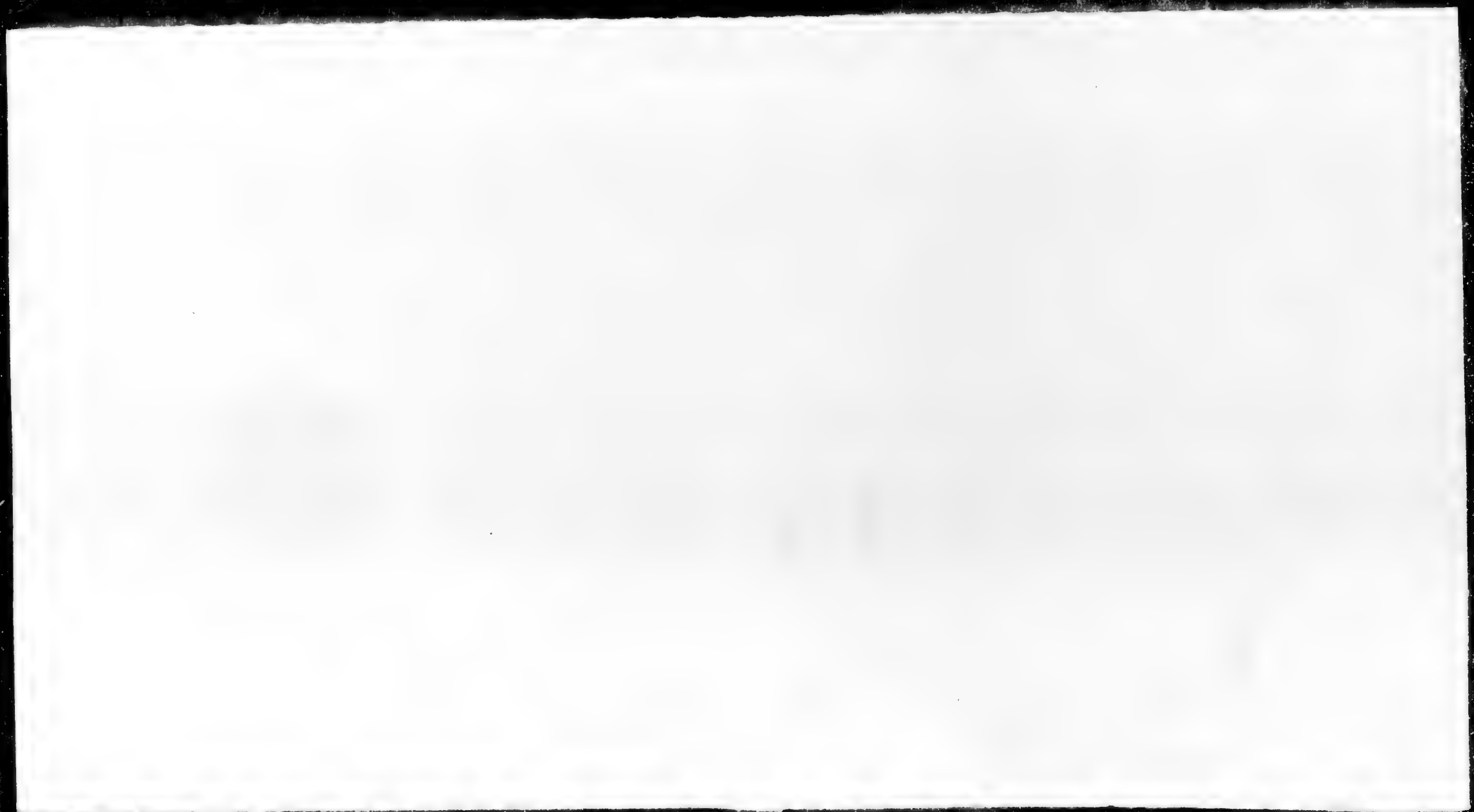
Tame Dixey.

(SIGNED)

Chairman

Registered

Enclosure 2008





as Thomas

Shelton

IDENTIFIED

DECISION RENDERED

See 2nd copy of Mississippi

Mississippi pp. 120-121
see page 11588

DECISION

ADDITIONAL

RECORDED

1903

TO IDENTIFIED MISSISSIPPI

CHOCTAW CARD NO.

No. 2008

For Identification as a Mississippi Choctaw.

Date MAY - 4 1901

Name *Elijah Thomas.*

Age *52.* Blood *full.*

Post Office *Augusta, Miss.*

Father: *Jake Thomas - dead.*

Mother: *Martha Thomas - dead.*

Claims through *both parents*

Children:

None

None

None

None

Stenographer

J. L. Niles.

Elijah Thomas.

COPY OF DECISION FORWARDED
APPLICANT

MAR 11 1903

Choctaw MCR 2009

Jim Lewis

MCR 2009

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

The within record is in the matter of
the application of Jim Lewis (Tikabonetubbee) for identification as a Mississippi Choctaw-----M.C.R. 2009

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

In the matter of the application of Jim Lewis, (Tikabonetubbee) for identification as a Mississippi Choctaw, M.C.R. 2009

I N D E X

	Page
Original application of Jim Lewis (Tikehonetubbee) to the Dawes Commission for identification as a Mississippi Choctaw	1
Decision of the Commission identifying Jim Lewis (Tikabonetubbee) as a Mississippi Choctaw	4

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
Meridian, Mississippi, May 4, 1901.

In the matter of the application for identification as a
Mississippi Choctaw of Jim Lewis.

Said Jim Lewis, being first duly sworn through Charlie
Thomas, sworn Choctaw interpreter, testified as follows:

Examination by the Commission.

- Q What is your name? A Jim Lewis.
Q How old are you? A 66 years.
Q Where do you live? A Paulding, Jasper Co., Mississippi.
Q Paulding is your postoffice? A No sir, Barnett.
Q What county is your postoffice in? A Clark County.
Q Was you born here in Mississippi? A Yes sir.
Q Always lived here? A Yes sir.
Q Never have been anywhere else? A No sir.
Q What is your father's name? A Old man Lewis.
Q Did he have any other name? A No.
Q Did he have a Choctaw name? A Yes sir.
Q What was his Choctaw name? A Emonab4.
Q Your father is dead, is he? A Yes sir.
Q What is your mother's name? A I don't know.
Q Don't remember anything about her? A No, never heard.
Q They were both full blood Choctaws, were they? A Yes sir.
Q Did your mother and father always live here in Mississippi?
A Yes sir.
Q Do you remember when the Choctaws moved from Mississippi out
to the Indian Territory? A I was a little fellow.
Q Your mother and father did not go with them out there?
A No, never went.
Q Were your mother and father ever recognized, that is were they
ever given the rights of Choctaw Indians by the United States or by
the Choctaws; did they ever receive any benefits? A No sir.
Q Are you married? No, my wife is dead.
Q All your children grown? A Yes, they are two grown.
Q Two that are grown? A Yes sir.
Q They are married and got families of their own? A One of
them, Henry.
Q Are those your own children, Henry and Fronie? A Yes sir.
Q How old are they? A Fronie is 21, Henry 36.
Q You are making this application for yourself, are you? A Yes.
Q Do not want to apply for anybody but yourself, do you?
A I wants by myself.
Q Do not want to apply for anybody else? A Yes sir, I wants
all who stay with me.
Q Do you want to apply for any others besides yourself? A No,
for myself.
Q Have you ever been enrolled with the Choctaws in the Indian
Territory? A No, never been.
Q Did you ever apply to the Choctaws in Indian Territory for per-
mission to be enrolled with the tribe out there? A No.
Q Five years ago, in 1896, the Commission was empowered by an Act
of Congress of June 10, 1896, to hear and determine original appli-
cations for citizenship in the Choctaw Nation, did you or did anyone
for you make application at that time to the Commission to the Five
Civilized Tribes for citizenship in the Choctaw Nation? A No.
Q Have you ever been admitted to citizenship or given any rights
of citizenship in the Choctaw Nation in Indian Territory by either
the Choctaw Tribal authorities in Indian Territory, by the Commis-
sion to the Five ~~Five~~ Civilized Tribes or by the United States Court
in Indian Territory? A No.
Q Have you ever made an application to either the Choctaw or to

the United States authorities before this to be enrolled or admitted to citizenship in the Choctaw Nation? A No sir.

Q Did not make any application when the Commission was here in 1899, at Decatur, Philadelphia and Carthage, or when they were at Hattiesburg last December? A No sir.

Q Did anybody ever make application for you? A No sir.

Q You are sure of that, are you? A I don't know about it.

Q Were you ever known by ~~the name~~ any other name than Jim Lewis? A No, Jim Lewis.

Q Ever go by the name of Lewis Jim? A Don't know.

Q What is your Choctaw name? A Tikabonetubbee.

Q You are making application now for the first time for the identification of yourself alone as a Mississippi Choctaw? A Yes.

Q Do you claim your rights as a beneficiary under the provisions of the 14th article of the treaty of 1830? A Yes.

Q Did you ever receive any benefits in the way of land or money as a Choctaw Indian? A No.

Q Did your mother or father, or any of your foreparents, ever get any land or money from the United States Government? A No.

Q Did your mother and father and foreparents always live here in Mississippi? A All that I know of.

Q Always live here? A Yes sir.

Q Did any of your foreparents, your father, mother or grandfather or grandmother, or any of their people ever move out to Indian Territory? A No sir.

Q Did your mother or father ever get any land from the United States Government under the 14th article of the treaty of 1830, after the treaty was ratified? A Don't know anything about getting land or money at all. Don't know anything about moving to Territory at all.

Q Do you remember when the Choctaws moved out to the Indian Territory? A I was little.

Q Do you remember when they moved out there? A Yes sir.

Q None of your people went with them? A My father he was living in Gray County; he just heard about it, going to Territory. His people go no go there.

Q None of them ever moved out there then? A No.

Q Have you any papers, any writing, or old deeds or patents, that were issued either by the United States government or by the Choctaw Government here or by the Indian Agent of the Choctaws here in Mississippi, after this treaty, showing that your father and mother or any of your foreparents were recognized members of the Choctaw Tribe of Indians at that time, or that they ever complied or attempted to comply with the provisions of the 14th article of the treaty of 1830, or that they ever received any benefits in land or money under that provision of that treaty? A No, don't know about that.

The appearance of John S. Hagler, attorney for applicant, noted.

The applicant in this case is to every appearance a full blood Choctaw Indian, speaks a little broken English, examination having been conducted through a sworn Choctaw Interpreter. He has lived in Mississippi all his life and states that his mother and father also always lived here and has no knowledge of any compliance by his ancestors with the provisions of the 14th article of the treaty of 1830.

At the beginning of this examination, the question developed as to whether this applicant had any children, but grown children, for whom he desired to make application. There was some confusion as to the persons who lived with him and whom he might represent

Jim Lewis----3

and the applicant stated that he desired to make the application for himself alone and he was accordingly so heard.

The decision of the Commission as to your application for identification as a Mississippi Choctaw will be determined at the earliest possible date and report of the same made to the Secretary of the Interior conformable to the provisions of the 21st section of the act of Congress of June 28, 1898, and a copy of such decision will be mailed to you at your proper postoffice address as given in your testimony at this time.

Ira S. Niles, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he reported in full the proceedings had in the above entitled cause, heard at Meridian, Mississippi, May 4, 1901, and that the above and foregoing is a full, true and correct transcription of his stenographic notes in said cause taken the day and date above mentioned.

Ira S. Niles
Subscribed and sworn to before me this the 6th day of May, A.D. 1901/
at Meridian, Mississippi.

[Signature]
Notary Public.

C.W.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

In the matter of the application of Jim Lewis (Tikabone-
tubbee) for identification as a Mississippi Choctaw, M.C.R. 2009

----- D E C I S I O N -----

It appears from the record herein that application for identification as a Mississippi Choctaw was made to this Commission on May 4, 1901, by Jim Lewis (Indian name Tikabonetubbee) for himself, under the following provision of the Act of Congress approved June 28, 1898 (30 Stats. 495):

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto and make report to the Secretary of the Interior."

From the evidence filed in support of said application it appears that the applicant is a full blood Mississippi Choctaw Indian.

Section forty-one of the Act of Congress entitled "An Act to ratify and confirm an agreement with the Choctaw and Chickasaw tribes of Indians, and for other purposes" approved July 1, 1902,

COPY.

M.C.R. 2009

Muskogee, Indian Territory, February 21, 1903.

Langfield, McMurray & Cornish,

Attorneys for the Choctaw and Chickasaw Nations,
South McAlester, Indian Territory.

Gentlemen:

Enclosed herewith you will find a copy of the decision of the Commission rendered February 14, 1903, identifying Jim Lewis (Tik-a-bone-tubbee), as a Mississippi Choctaw Indian under the provisions of the forty-first section of the act of Congress approved July 1, 1902, (32 Stats., 641).

You are hereby advised that you will be allowed fifteen days from the date hereof, in which to file with this Commission such protest as you desire to make against the action of the Commission in identifying the said Jim Lewis (Tik-a-bone-tubbee), as a Mississippi Choctaw, and make satisfactory proof of service of said protest upon the applicant herein.

If you fail to file such protest within the time allowed the name of the applicant herein will be placed upon the schedule of duly identified Mississippi Choctaws now being prepared by this Commission.

Respectfully,

(SIGNED)

Tame Dixby.

~~Acting~~ Chairman

Registered.
Enc. H.G. 19

COPY.

M.C.R. 2009.

Muskogee, Indian Territory, March 11, 1903.

Jim Lewis (Tik-a-bone-tubbee),
Barnett, Mississippi.

Dear Sir:

Enclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered February 14, 1903, identifying yourself as a Mississippi Choctaw Indian under the provisions of section 41 of the Act of Congress approved July 1, 1902 (32 Stats., 641).

If you remove to the Choctaw-Chickasaw country, Indian Territory, before August 14, 1903, you will have six months from that date, or until February 14, 1904, within which to make proof of such removal and settlement at the office of the Commission at Atoka, Choctaw Nation, or Tishomingo, Chickasaw Nation.

Respectfully,

Jams Bixby.
Chairman,

(SIGN.)

Registered.

Enc. M.C.R. 2009.

Ardmore, I. T. April 17, 1903.

To the Commission to the Five Civilized Tribes,
Muskogee, Indian Territory.

You will please deliver to J. G. Halls, of Atoka, Indian Territory, any copies of the records in my case that, under the rule of law, the Commission may give out to Attorneys, as I have employed him to assist me in this case.

Jess Lewis. No. 2009

For Identification as a Mississippi Choctaw.

Date MAY - 4 1901

Name

Jim Lewis

Age

66. *Sik-a-bra-tubbe*

Blood

full.

Post Office

Barnett, Miss.

Father:

Lewis } dead.
Pimouabi

Mother:

don't know - dead.

Claims through

both parents.

Children:

1.

Stenographer

J. I. Niles

FOR IDENTIFICATION AS

MISSISSIPPI CHOCTAW

John Lewis. (Tikabonetubba)

COPY OF DECISION FORWARDED
APPLICANT

MAR 11 1903

Choctaw MCR 2010

Charlie Thomas

MCR 2010

Thomas M.

IDENTIFIED

APR 27 1903

BEFORE FORWARDED
FOR POSTAL AND
NOTES

BEFORE FORWARDED APPLICANT

MAY 1 1903

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

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In the matter of the application of Charlie Thomas, et al.,
for identification as Mississippi Choctaws, W.C.R. 2010.

--: I N D E X :--

	(Page)
Original application of Charlie Thomas, et al., to the Dawes Commission for identification as Mississippi Choctaws-----	1
Decision of the Commission identifying said applicants as Mississippi Choctaws-----	5

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DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
Meridian, Mississippi, May 4, 1901.

In the matter of the application for identification as Mississippi Choctaws of Charlie Thomas, his wife and his five minor children.

Said Charlie Thomas, being first duly sworn, testified as follows:-

Examination by the Commission.

- Q What is your name? A Charlie Thomas.
Q How old are you? A Somewheres about 38.
Q Where do you live? A Perry County.
Q What is your postoffice address? Brown, Mississippi.
Q How long have you lived in Mississippi? A I was born and raised in Mississippi, was born in Jasper County.
Q Never have lived anywhere else except in Mississippi? A No ~~at~~ sir.
Q What is your father's name? A Jake.
Q Jake Thomas? A Yes sir.
Q Is your father living? A No sir.
Q Was he a full blood Choctaw? A Yes sir.
Q What is your mother's name? Martha.
Q Martha Thomas? A Yes sir.
Q Is your mother living? A No sir.
Q Was she a full blood Choctaw? A Yes sir.
Q Did your mother and father always live here in Mississippi?
A Yes sir.
Q Were they ever recognized or ever receive any benefits as members of the Choctaw Tribe of Indians? A No sir.
Q Are you married? A Yes sir.
Q What is your wife's name? A Mary Thomas.
Q How old is she? A She is about 28.
Q She a full blood Choctaw? A Yes sir.
Q What is your wife's father's name? A Her father's name was John Frenchman.
Q Is he living? A No sir.
Q Was he a full blood Choctaw? A Yes sir, he was a full blood, he was just given that name.
Q How long has he been dead? A About a year ago.
Q What is your wife's mother's name? A I did know; Polly, I think.
Q Is your wife's mother living? A No sir, both dead.
Q Your wife's mother was a full blood? A Yes sir.
Q Your wife always live in Mississippi? A Yes sir.
Q Did ~~both~~ both of her parents always live here? A Yes sir.
Q Did they ever request or receive any benefits as Choctaw Indians? A No sir.
Q How many children have you under 21 years of, age who are unmarried? A Five children.
Q What are their names and ages? A Peter Foster Thomas.
Q How old is Peter? A 14.
Q Next one? A 12.
Q What is his name? A Esau.
Q Next one? A Risher.
Q How old is he? A 8.
Q Isn't he older than that? A No sir, the next one died.
Q What is the name of the next one? A Enoch.
Q How old is he? A 3.
Q What is the next one? A Nicholas.
Q How old is he? A Little over a year.
Q Are you the father of these five children? A Yes sir.

- Q Mary Thomas the mother? A Yes sir.
- Q All of them living with you at your home now? A Yes sir.
- Q Have you, your wife or your children ever been enrolled with the Choctaw Tribe in Indian Territory? A No sir.
- Q Have you ever made application to be enrolled with the Choctaws in the Indian Territory? A No sir.
- Q In 1896, five years ago, the Commission was empowered to hear applications for citizenship in the Choctaw Nation under the Act of Congress of June 10, 1896; did you make an application then? A No sir.
- Q Have you, your wife or your children ever been admitted to citizenship in the Choctaw Nation by either the Choctaw Tribal authorities, the Commission to the Five Civilized Tribes, or by the United States Court in Indian Territory? In other words, have you ever been admitted? A No sir.
- Q Have you ever made application to either the Choctaw Tribal authorities or to the United States Government up to this time? A No sir.
- Q Did anyone make application for you? A No sir.
- Q Didn't Isham Johnston make application for you up at Decatur? A I heard that he did yesterday; the first I have heard of it.

This applicant is the identical Charlie Thomas who, with his wife and his four minor children, Peter, Esau, Resher and Enoch, appears on Mississippi Choctaw Card Field No. 497. Application was made for their identification as Mississippi Choctaws at Decatur, Mississippi, February 9, 1899, by Isham Johnston. Their names also appear upon the schedule annexed to the Commission's report of March 10, 1899, as to the identification of Mississippi Choctaws, page 103, roll numbers as follows:-

1800 Charlie Thomas
1801 Mary Thomas
1802 Peter Thomas
1803 Esau Thomas
1804 Resher Thomas
1805 Enoch Thomas.

- Q You are making an application for the identification of yourself your wife and your five minor children as Mississippi Choctaws, is that correct? A Yes sir.
- Q You claim your rights as beneficiaries under the provisions of the 14th article of the treaty of 1830? No sir.
- Q You do not claim under that?

The Commission in hearing applications at this time is only empowered and directed to hear the applications of Choctaws who claim under that treaty. The treaty of 1830 made between the United States and the Choctaw Tribe of Indians, concluded and ratified on September 27, 1830, provided for the removal of the Choctaw Indians who then resided in the State of Mississippi to the Indian Territory, and the 14th article of that treaty gave to those Choctaws who desired to remain in Mississippi the right to do so upon signifying to the United States Indian Agent of the Choctaws in Mississippi their intention to so remain and they were granted certain tracts of land upon which they were to reside for at least five years, after which patent was to be issued to them. Persons claiming under this article shall not lose the privilege of a Choctaw citizen but if they ever remove are not entitled to any portion of the Choctaw annuity.

Q You are claiming your rights for yourself and family under that clause of that treaty? That is, you claim that you are a descendant of the Choctaw s who remained here in Mississippi? A Yes sir.

Q Did any of your ancestors ever remove from Mississippi to Indian Territory at the time of the removal of the Choctaw Indians? A No sir.

Q Your father and mother always live here? A Yes sir.

Q Do you know whether their parents always lived here in Mississippi? A No sir.

Q What do you know about your parents? (No answer)

Q Did your wife's people always live here? A Yes sir.

Q Did any of your ancestors, your foreparents, your mother and father, or grandmother and grandfather, ever receive or claim any land from the United States Government under the 14th article of the treaty of 1830? A No sir.

Q Have you ever heard whether any of your forefathers or your wife's forefathers ever received any land from the United States ~~Eng~~ Government or from the Choctaw Tribe of Indians? A No sir.

Q Did any of them after the ratification of this treaty in 1830, over 70 years ago now, did you ever hear whether they went to the Indian Agent of the Choctaws here in Mississippi and signify their intention to remain here and become citizens of the United States? A Yes sir; I know a little of it, but it was before I was grown. I don't know anything about it now.

Q Have you ever heard or learned whether any of your foreparents or your wife's foreparents ever received any monies or lands from the United States or from the Choctaws? A I can't say. They all died before we knew anything about it at all.

Q You say you remember your grandfather? A Yes sir.

Q Do you know what his Choctaw name was? A Anokhitabi.

Q That was your father's father? A Yes sir.

Q He always live here in Mississippi? A Yes sir.

Q Have you or your wife or your children ever receive any monies or land from the Choctaw Nation? A No sir.

Q You speak the Choctaw language? A Yes.

Q Is there any statements that you want to make relative to your claim, any facts that you might know about your ancestors, your forefathers, that we have not inquired into? A No sir.

Q Have you any documentary evidence, any papers, any written testimony, or copies of records, deeds, patents, or papers of any description that would show that your ancestors were ever recognized members of the Choctaw Tribe of Indians here in Mississippi or that they ever ~~applied~~ complied or attempted to comply with the provisions of the 14th article of the treaty of 1830, or that they ever received any benefits under that article of that treaty?

A No sir.

Q Have you in your possession, or any of your family, any old deeds or patents that the Government issued? A No sir.

Q You know the Government issued patents to a great deal of this land out here to these Indians, have you any such patent or deed in your family? A No sir.

Q Have you any papers, anything to show that the United States or the Choctaws, after this treaty of 1830, ever recognized your ancestors as members of that Tribe? A I heard of it but do not know where they are now.

The applicant in this case is to every appearance a full blood Choctaw Indian, and speaks the Choctaw language. From his testimony it appears that both his wife and his children, for whom he makes application, are also full blood Choctaw Indians and that all of the applicants have always resided in the State of Mississippi, as have both the applicant's and his wife's ancestors. It further appears that they have never received any benefits as Choctaw Indians from either the United States Government or

the

the Choctaw Tribal government. He has no knowledge of any compliance by his ancestors with the provisions of the 14th article of the treaty of 1830.

The decision of the Commission as to your application and the application you make on behalf of your wife and five minor children, for identification as Mississippi Choctaws, will be determined at the earliest possible date and report of the same made to the Secretary of the Interior, conformable to the provisions of the 21st section of the Act of Congress of June 28, 1898, and a copy of such decision will be mailed to you at your proper postoffice address as given in your testimony at this time.

Ira S. Niles, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes he reported in full the proceedings had in the above entitled cause, heard at Meridian, Mississippi, May 4, 1901, and that the above and foregoing is a full, true and correct transcription of his stenographic notes in said cause taken the day and date above mentioned.

Subscribed and sworn to before me this the 6th day of May, A.D. 1901, at Meridian, Mississippi.


Notary Public.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

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In the matter of the application of Charlie Thomas, et al.,
for identification as Mississippi Choctaws, M.C.R. 2010.

---: D E C I S I O N :---

It appears from the record herein that application for identification as Mississippi Choctaws was made to this Commission on May 4, 1901, by Charlie Thomas for himself, his wife, Mary Thomas, and his five minor children, Peter Foster, Esau, Risher, Enoch and Nicholas Thomas, under the following provision of the act of Congress approved June 28, 1898 (30 Stats., 495):

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses, and perform all other acts necessary thereto and make report to the Secretary of the Interior."

From the evidence submitted in support of said application, it appears that all the applicants are full-blood Mississippi Choctaw Indians.

Section forty-one of the act of Congress entitled "An Act To ratify and confirm an agreement with the Choctaw and Chickasaw tribes of Indians, and for other purposes," approved July 1, 1902,

(32 Stats., 641), and ratified by the Choctaw and Chickasaw Nations September 25, 1902, provides as follows:

"The application of no person for identification as a Mississippi Choctaw shall be received by said Commission after six months subsequent to the date of the final ratification of this agreement and in the disposition of such applications all full-blood Mississippi Choctaw Indians and the descendants of any Mississippi Choctaw Indians whether of full or mixed blood who received a patent to land under the said fourteenth article of the said treaty of eighteen hundred and thirty who had not moved to and made bona fide settlement in the Choctaw-Chickasaw country prior to June twenty-eighth, eighteen hundred and ninety-eight, shall be deemed to be Mississippi Choctaws, entitled to benefits under article fourteen of the said treaty of September twenty-seventh, eighteen hundred and thirty, and to identification as such by said Commission, but this direction or provision shall be deemed to be only a rule of evidence and shall not be invoked by or operate to the advantage of any applicant who is not a Mississippi Choctaw of the full blood, or who is not the descendant of a Mississippi Choctaw who received a patent to land under said treaty, or who is otherwise barred from the right of citizenship in the Choctaw Nation, all of said Mississippi Choctaws so enrolled by said Commission shall be upon a separate roll."

It is, therefore, the opinion of this Commission that Charlie Thomas, Mary Thomas, Peter Foster Thomas, Esau Thomas, Risher Thomas, Enoch Thomas and Nicholas Thomas should be identified as Mississippi Choctaws, and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.


Chairman.


C. R. Buckner.

Muskogee, Indian Territory,

MAR 27 1903

Miss. Choctaw 1186
2007, 2008, 2010.

Muskogee, Indian Territory, November 15, 1902.

T. W. Black,

Woodville, Indian Territory,

Dear Sir:

Your letter of November 5, addressed to J. Blair Schoenfelt, Indian Agent, Muskogee, Indian Territory, has been referred to this Commission for reply. You ask therein to be advised if the names of five Mississippi Choctaws, Charley Thomas, Bob Thomas, Elijah Thomas, Frank Johnson and John Hogan, and their families, are on the tribal rolls.

In reply you are advised that it appears from our records that Frank Johnson, of Hickory, Mississippi, and Elijah Thomas, of Augusta, Mississippi, are applicants to this Commission for identification as Mississippi Choctaws; it further appears from the records of this office that Bob Thomas and Charlie Thomas, of Brown, Mississippi, are applicants for the identification of themselves, their wives and their minor children as Mississippi Choctaws. The records further show that all of the above applicants are full blood Choctaw Indians. The Commission has not yet passed upon the rights of these applicants to identification as Mississippi Choctaws, but it is prob-

T.M.B. 2

able that within the near future their applications for identification as full blood Mississippi Choctaws will be passed upon and they will be notified of the action of the Commission.

It does not appear from our records that John Hogan is an applicant for identification as a Mississippi Choctaw under the name of John Hogan. If application has been made by him as such Mississippi it would appear that the same was made under another name.

Respectfully,

Acting Chairman.

Miss. Choctaw
1136, 2007,
2008, 2010.

Muskogee, Indian Territory, November 18, 1902.

T. W. Black,

Woodville, Indian Territory,

Dear Sir:

Receipt is hereby acknowledged of your letter of November 14 asking the status of the following Mississippi Choctaws: Charley Thomas, Bob Thomas and Frank Johnson.

In reply your attention is invited to a letter of the Commission of November 15, 1902, which it is believed fully answers the questions contained in your letter of November 14, 1902.

Respectfully,

Commissioner in Charge.

M C R 1136
M C R 2010

Muskogee, Indian Territory, January 25, 1903.

T. M. Black,

Paris, Texas.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 17th inst., in which you ask to be advised if Charley Thomas, his wife and five children, and Bob Thomas, his wife, and five children, and Mamie Johnson, who, you state, are full blood Mississippi Choctaws, are enrolled.

In reply to your letter you are advised that it appears from the records of the Commission that Charley Thomas is an applicant for the identification of himself, his wife and five minor children as Mississippi Choctaws, and that Bob Thomas is also an applicant for the identification of himself, his wife and five minor children as Mississippi Choctaws. The Commission has not, up to the present time, reached any opinion or decision relative to the right of the full blood Choctaws residing in Mississippi to be identified as Mississippi Choctaws, but is now considering their applications, and it is probable decisions will be rendered in the near future. Upon the rendition thereof, such applicants will be duly notified of the action of the Commission and of the

T. M. Black---2

forwarding of the records to the Secretary of the Interior.

It does not appear from the records of the Commission that any application has been made for the identification as a Mississippi Choctaw of Mamie Johnson, daughter of Bob Thomas: if she is an applicant, kindly advise the Commission when and where and under what name she made application and such other data as will enable the Commission to identify her as an applicant, when your enquiry regarding her status as a Mississippi Choctaw will receive further consideration.

Respectfully,

Acting Chairman.

M O R 1136
M O R 2010

Muskogee, Indian Territory, February 9, 1903.

T. W. Black,
Woodville, Indian Territory.

Dear Sir:

Your letter of January 17, 1903, addressed to the Secretary of the Interior, has been by him referred to this Commission for consideration and appropriate action.

You ask therein if the ancestors of Bob and Charley Thomas, full blood Mississippi Choctaws, complied with article fourteen of the treaty of 1830. You state that you want to move these Choctaws to the Indian Territory if they are going to get a claim. You also ask for a copy of of the treaty of 1830 between the United States and the Choctaw Nation, and a copy of the treaty of Dancing Rabbit Creek.

In reply to your letter you are informed that it appears from our records that Bob and Charley Thomas are both full blood Mississippi Choctaws, and are applicants to this Commission for the identification of themselves and their families as Mississippi Choctaws, but the Commission has not yet passed upon their rights to identification as such full blood Mississippi Choctaws.

You are further advised that the treaty between the United States and the Choctaw Nation, concluded September 27, 1830,

T H Black-----8

sometimes called the treaty of Dancing Rabbit Creek, may be found in volume 7 of the United States Statutes, page 333.

There is enclosed herewith a copy of the act of Congress of July 1, 1902, which was ratified by the Choctaw and Chickasaw Nations on September 25, 1902, and your attention is invited to sections forty-one, forty-two, forty-three, and forty-four thereof.

Respectfully,

Acting Chairman.

Enc. Choctaw-Chickasaw Agreement.

M.C.R. 2008
" 1136
" 2007
" 2010

Muskogee, Indian Territory, February 13, 1903.

Bob Thomas,

Hugo, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of the joint letter of yourself, Charlie Thomas, Elijah Thomas and Frank Johnson, advising that Hugo, Indian Territory, is your present address.

The same has been made a matter of record with the Commission.

Respectfully,

Acting Chairman.

COPY.

Muskogee, Indian Territory, April 27, 1903.

Mansfield, McMurray and Cornish,

Attorney for Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:

Enclosed herewith you will find a copy of the decision of the Commission rendered April 27, 1903, identifying Charlie Thomas, his wife Mary Thomas and five minor children Peter Foster Thomas, Esau Thomas, Risher Thomas, Enoch Thomas and Nicholas Thomas as Mississippi Choctaw Indians under the provisions of the forty-first section of the act of Congress approved July 1, 1902 (32 Stats., 641).

You are hereby advised that you will be allowed fifteen days from the date hereof, in which to file with this Commission such protest as you desire to make against the action of the Commission in identifying the said Charlie Thomas, his wife and five children as Mississippi Choctaws, and make satisfactory proof of service of said protest upon the applicants herein.

If you fail to file such protest within the time allowed, the names of the applicants herein will be placed upon the schedule of duly identified Mississippi Choctaws now being prepared by this Commission.

Respectfully,

(SIGNED)

Tamie Dixby.

Chairman.

Registered.
Enc. 2010.

M.C.R. 2010.

COPY.

Muskogee, Indian Territory, May 6, 1903.

Charlie Thomas,

Hugo, Indian Territory.

Dear Sir:

Enclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered April 27, 1903, identifying yourself, your wife, Mary Thomas, and your minor children, Peter Foster Thomas, Esau Thomas, Risher Thomas, Enoch Thomas and Nicholas Thomas, as Mississippi Choctaw Indians under the provisions of Section 41 of the Act of Congress approved July 1, 1902, (32 Stat., 641).

If you remove to the Choctaw-Chickasaw country, Indian Territory, before October 27, 1903, you will have six months from that date, or until April 27, 1904, within which to make proof of such removal and settlement at the office of the Commission at Atoka, Choctaw Nation, or Tishomingo, Chickasaw Nation.

Respectfully,

Jams Dixby

Chairman.

Registered.

Enc. 2010.

MC R 2010

Muskogee, Indian Territory, July 9, 1903.

Charlie Thomas,
Spencerville, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of June 29, 1903, in which you ask if an application for the identification of your minor child, Bertha Thomas, was ever received by the Commission.

In reply you are informed that it does not appear from our records that any such application was ever received at this office.

Respectfully,

Commissioner in Charge.

Muskogee, Indian Territory, September 22, 1903.

Charley Thomas,

Sawyer, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 12th instant, in answer to our communication of the 31st ultimo. The information contained in your letter of September 12th has enabled the Commission to identify you upon its records as an applicant for identification as a Mississippi Choctaw.

It appears from our records that on April 27, 1903, the Commission rendered its decision identifying you, your wife, Mary, and your five minor children, Peter Foster, Esau, Risher, Enoch and Nicholas Thomas, as Mississippi Choctaws entitled to allotment in the lands of the Choctaw and Chickasaw Nation.

Relative to the application enclosed in your letter of August 25, 1903, for the identification of your minor child, Bertha Thomas, your attention is invited to the following provision of the act of Congress approved July 1, 1902, which was ratified by the citizens of the Choctaw and Chickasaw Nations September 25, 1902:

"The application of no person for identification as a Mississippi Choctaw shall be received by said Commission after six months subsequent to the date of the final ratification of this agreement."

C T 2

Under the above legislation the Commission is now without authority to receive or consider the application of any person for identification as a Mississippi Choctaw.

Respectfully,

Chairman.

M C R 1955

M C R 2010

Muskogee, Indian Territory, May 23, 1905.

Dennis Frenchman,

Hemmipen, Indian Territory.

Dear Sir:

In compliance with your request of the 19th instant, there is herewith enclosed copy of decision of Commission, dated July 29, 1904, refusing your application for identification as a Mississippi Choctaw; also copy of decision dated April 27, 1903, identifying Mary Thomas as a full blood Mississippi Choctaw.

Respectfully,

Chairman.

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to Army of May 1901

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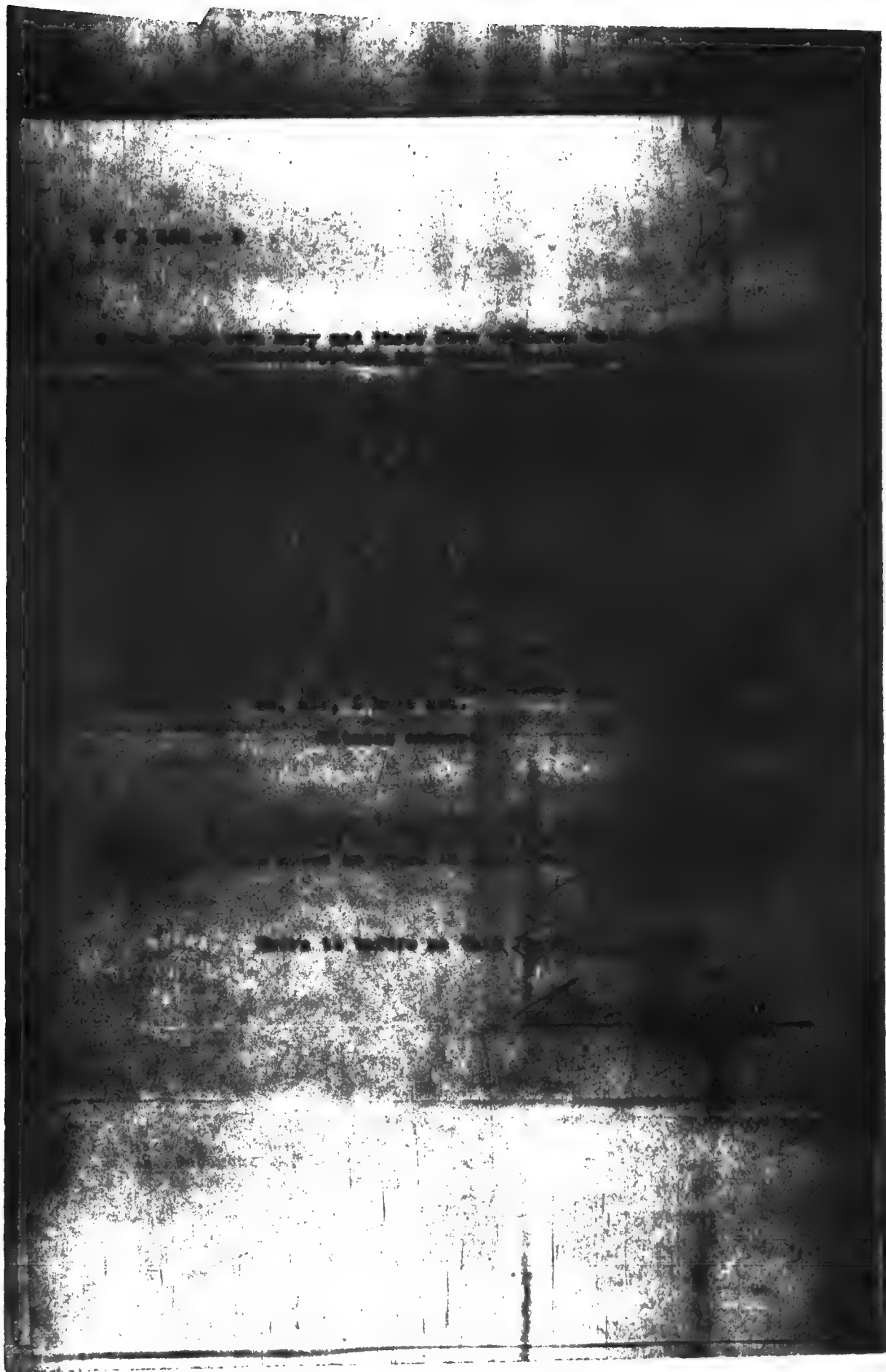
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DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES
CHOCMAH LAND OFFICE
ATOKA, Indian Territory, January 20, 1904

Atoka, Indian Territory, January 20, 1904.
To the Honorable A. L. ...
... in the territory about one year ago.
... present post office address in the ...
... Indian Territory.



STATEMENT OF THE DEPARTMENT
OF THE ARMY

Washington, D.C., September 1, 1918

of the Department of the Army
Washington, D.C.
The following is a statement of the
Department of the Army, dated
September 1, 1918.

Colonel, United States Army

Dear Sir:
I have the honor to acknowledge the receipt of your letter of the 28th inst., and in reply to inform you that the same has been forwarded to the proper authorities for their consideration. I am, Sir, very respectfully,
Yours very truly,
The Adjutant General

Very truly,
The Adjutant General
Did you get a letter from your wife?
Yes, she is well and is living at
Greenville.
Did you get a letter from your wife?
Yes, she is well and is living at
Greenville.

Q. Now did he die? A. Near Spencerville.

Q. Was he ever outside of the Cherokee-Chickasaw Nations since the time you brought him over here up until he died?

A. No, sir.

Q. Have you or your wife Mary or any of your children ever lived over back outside of the Cherokee-Chickasaw Nations since you were out here? A. No, sir.

Q. You and your wife and the four children have never been outside of the Cherokee Nation at all since you were out here and settled near Spencerville?

A. No, we have been near Spencerville ever since we came out here.

Q. Have neither you or any of your family ever been outside of the Cherokee Nation since you first came here in 1904?

A. No, we have made our home in the Cherokee Nation continuously from 1904 to the present time. A. Yes, sir.

(Witness continued)

Subscribed and sworn to before me this 1st day of June, 1934, at Spencerville, Cherokee County, Oklahoma, by the following:

IN THE CHIEF JUSTICE'S COURT

- Q. What is your name? A. Joe Thompson.
- Q. How old are you? A. Forty-six.
- Q. What is your present residence? A. Fort Towson, Oklahoma.
- Q. Do you know Charlie Thomas and his wife, Mary?
- A. I have known their children, Peter, Foster, Tom, and Charles.
- Q. And Vincent? A. Yes, sir.
- Q. How do you know them? A. Yes.
- Q. When did he die? A. I couldn't tell you.
- Q. Do you know what year? A. 1904 or I am not mistaken.
- Q. Where did Vincent die? A. At Charlie Thomas' house near Spencerville.
- Q. How long have you known his family? A. About two years, ever since 1903.
- Q. Did you know them back in Wisconsin? A. No, sir.
- Q. You are a citizen of the Cherokee Nation? A. Yes, sir, Cherokee by blood.
- Q. Where did you first see this family over in this country? A. Down there near Spencerville.
- Q. In 1903? A. The first time I saw them was in 1903 and then he moved to Spencerville in 1904.
- Q. Have you been living close to this family since they have been living down there? A. About five miles.
- Q. How often did you see them? A. Sometimes every week and sometimes once a month.
- Q. Have they all made their home at the same place near Spencerville since they came there in 1904? A. Yes, sir.
- Q. Is Charlie and family and Mary and their four children living there now? A. Yes, sir.
- Q. Have any of them ever been away from there since they settled on this allotment near Spencerville? A. No, sir.

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Q Now visualize over away from there from the time he
with his father. As long as until the time he
Q Now any of the members of this family ever
W. ever since they came out here? A Yes.
Q Now any of them ever been outside of the State
A They first came here. A Yes, sir.
Q Now and next, can you, that all of the
that are named in this testimony be
Q Now you said that a class had

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... out that he was dead? A

1. You must first become acquainted with the place to where I have sent I find

THE NEW YORK PUBLIC LIBRARY
ASTOR LENOX TILDEN FOUNDATION
500 5TH AVENUE
NEW YORK 17, N.Y.

How close do you live to those people?
I told you one and a half miles. It's about

Do you think if any of them ever went to





For Identification as a Mississippi Choctaw

Date MAY. -4 1901

Name *Charles Phoenix*

Age 38. Blood full.

Post Office *Brown, Miss.*Father: *Jake Phoenix - dead*Mother: *Martin Phoenix - dead*

Claims through both parents

WIFE: *Mary Phoenix - 38; full.*FATHER: *John Frenchman - dead.*MOTHER: *Polly Frenchman - dead.*

Children:

*Peter P. Phoenix 14**Osau " 16**Risher " 8**Emoch " 5**Nicholas " 1**(In Mississippi Choctaw card #497)**testimony of July 9, 1899.**Claims for self, wife and 5 children
all full bloods*

Stenographer

J. J. Miles

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE APPLICATION FOR ENROLLMENT, as a citizen of the Chocataw Nation,
of Bertha Thomas (Here insert name of child), born on the 2 day of April, 1902
Name of Father: Charles Thomas, a citizen of the Chocataw Nation.
Name of Mother: Mary Thomas, a citizen of the Chocataw Nation.
Post-Office: Chocataw, Okla. Terr.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Central District.

I, Mary Thomas, on oath state that I am about 25
years of age and a citizen, by birth, of the Chocataw Nation;
that I am the lawful wife of Charles Thomas, who is a citizen, by
birth, of the Chocataw Nation, that a female child was
(Male or female)
born to me on the 12th day of April, 1902; that said child has been
named Bertha Thomas, and is now living.

WITNESSES TO MARK

(Must be Two Witnesses)

Fred Everett
Wm. Ware

Subscribed and sworn to before me this 20th day of March, 1903.

Fred Everett
Central Ind.

Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Central District.

I, Jennie Taylor, a midwife, on oath state that I
attended on Mrs. Mary Thomas, wife of Charles Thomas,
on the 12th day of April, 1902, that a female child was born to her on
(Male or female)
date a female child; that said child is now living and is said to have been
named Bertha Thomas.

WITNESSES TO MARK

(Must be Two Witnesses)

Mellie Taylor
W. E. Crisp

Subscribed and sworn to before me this 14 day of August, 1903.

Jennie Taylor
H. B. Roney

Notary Public.

No. 2

For Identification as a Mississippi Choctaw.

Date MAY - 4 1901

Name *Charles Thomas.*

Age *38.* Blood *full.*

Post Office *Brown, Miss.*

Father: *Jake Thomas - dead.*

Mother: *Martha Thomas - dead*

Claims through *both parents*

WIFE: *Mary Thomas - 28; full.*

FATHER: *John Frenchman - dead.*

MOTHER: *Polly Frenchman - dead.*

Children:

Peter T. Thomas 14

Osau " " 12

Risher " " 8

Emoch " " 3.

Nicholas " " 1.

(The above is a true and correct copy of the original record.)

Witnessed by me (J. J. Niles) on this day.

Attest my hand and seal of office.

Stenographer

J. J. Niles.

Choctaw MCR 2011

Jim Polk

MCR 2011

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

The record herein is in the matter of
the application of Jim Polk, et al., for identification as
Mississippi Choctaws,
M.C.R. 2011.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

In the matter of the application of Jim Polk et al.,
for identification as Mississippi Choctaws, M.C.R. 2011.

I N D E X

	Page
Original application of Jim Polk, et al., to the Dawes Commission for identification as Mississippi Choctaws	1
Decision of the Commission identifying Jim Polk, et al., as Mississippi Choctaws,	5

2011

Department of the Interior,
Commission to the Five Civilized Tribes,
Philadelphia, Mississippi, May 3, 1901.

In the matter of the application of Jim Polk for the identification of himself, his wife and four minor children as Mississippi Choctaws:

Jim Polk, being first duly sworn, upon his oath states as follows:

Examination by the Commission.

- Q What is your name? A Jim Polk.
- Q What is your age? A Fifty-four.
- Q What is your post office address? A Engine, Mississippi.
- Q What is your father's name? A Hal-ba-tubbee.
- Q Is he dead? A Yes, he dead.
- Q Full blood? A Yes.
- Q What is your mother's name? A I don't know; me little bit boy when she died, and I forget.
- Q Full blood? A Yes.
- Q Are you a full blood? A Yes.
- Q Claim through both parents? A Yes.
- Q Has your parents, through whom you claim the right to identification as a Mississippi Choctaw, ever been recognized in any manner or enrolled as members of the Choctaw tribe of Indians, by the Choctaw tribal authorities, or by the authorities of the United States? A I don't know; I heard my parents went to the Choctaw Nation when the other Choctaws went.
- Q How many years ago? A I think, maybe, forty or fifty years ago, and maybe sixty.
- Q Did they ever come back? A No, I don't believe he come back. I heard some say he leave me, my mother died, and he leave me and go off there in the wilderness.
- Q And you never saw him again? A No.
- Q Are you married? A Yes.
- Q What is your wife's name? A Melissie.
- Q Is she full blood? A Yes.
- Q Do you claim for her? A Yes.
- Q How old is she? A About 33 I believe.
- Q When were you married to her? A I've been married twice; my first wife died and I married ten years last 18th of February.
- Q Were you married according to the Choctaw custom? A Yes.
- Q Had no license? A No, we Choctaw have no license, but just commence about three or four years ago.
- Q Do you know what Melissie's father's name is? A I speck name is Bill Tenola.
- Q Full blood? A Yes, full blood.
- Q Is he living? A He died.
- Q What is the wife's mother's name? A I forget, I can't tell, but I raised up this way in Newton County, and my wife raised in Neshoba County.
- Q She is a full blood? A Yes.
- Q Is she living? A No, she died up this way.
- Q Is Melissie a full blood? A Yes.
- Q She claims through both her father and mother? A Yes.
- Q

Jim Polk, et al., #2.

- Q Do you know whether your wife's father or mother, through whom you claim for her the right to identification as a Mississippi Choctaw, have ever been recognized in any manner or enrolled as members of the Choctaw tribe of Indians, either by the Choctaw tribal authorities, or by the authorities of the United States?
- A I don't know.
- Q Are there any children in your family under twenty one years of age and unmarried, for whom you wish to make application now?
- A No, but I have four step-children, my wife's. Their names are, ✓ Clemmons Morris, 16, Frank Morris 14, Tracy Morris 12, Leanna Morris 10 years.
- ✓ Q Is Melissie the mother of these children? A Yes.
- ✓ Q Who is their father? A Named Jim Morris.
- ✓ Q Was Jim Morris a full blood? A Yes.
- Q Living or dead? A Dead.
- Q Have you any children yourself? A No sir.
- Q Is your name or your wife's name or the names of any of these children on any of the tribal rolls of the Choctaw Nation in the Indian Territory? A No.
- Q Have you ever made application to the Choctaw tribal authorities in the Indian Territory to be enrolled as a member of the Choctaw tribe of Indians in Indian Territory? A No.
- Q Did you, or anyone for you, or your wife, or anyone for her, in the year 1896, make application to the Commission to the Five Civilized Tribes for citizenship in the Choctaw Nation under the Act of Congress of June 10, 1896? A No.
- Q Have you, or your wife ever been admitted to citizenship in the Choctaw Nation by either the Choctaw tribal authorities, the ? Dawes Commission, or by the United States Court in Indian Territory? A No.
- Q Have you ever made application before this time to either the Choctaw tribal authorities, or to the authorities of the United States, for the admission of yourself, your wife and her children to be enrolled as citizens of the Choctaw Nation? A Yes, two years ago.

The records of the Commission show that on January 31, 1899, Kim Polk appeared before the Commission at Philadelphia, Mississippi, and made application for the identification of himself, his wife, Lissie, and his four step-children, Clemmons, Frank, Tracy and Leanna Morris. His testimony at that time was as follows: " I am fifty four years old and a full blood Choctaw; my wife is a full blood named Lissie, 34 years old; my wife has the following children: Clemmons, 14, Frank Morris 12, Tracy Morris 10, and Leanna Morris 8 years old." The names of these persons appear upon Mississippi Choctaw card Field Number 180, also, upon page 58 of the Schedule of Mississippi Choctaws which accompanied the report of March 10, 1899, of the Commission to the Five Civilized Tribes to the Secretary of the Interior as to the identity of Choctaw Indians residing in Mississippi, claiming rights in the Choctaw lands under the provisions of the Fourteenth Article of the Treaty of Dancing Rabbit Creek, being numbers 617, 718, 619, 620, 621 and 622, respectively, thereon.

- Q Do you now make application for identification as Mississippi Choctaws for yourself, your wife and these four minor children?
- A Yes.

Jim Polk, et al., #3.

- Q Do you claim now as beneficiaries under article Fourteen of the Treaty of 1830? A Yes.
- Q Have you ever received any benefits ~~asa~~ Choctaw Indian?
- A No.
- Q Have any of your ancestors ever received any benefits as Choctaw Indians? A No, I don't know anything about that; I was just a bit a boy, four years old.
- Q What is the name of your ~~ancestors~~ or ancestors who were residents of the old Choctaw Nation in Mississippi and Alabama, and who were acknowledged members of the Choctaw tribe of Indians in 1830, when the treaty of Dancing Rabbit Creek was entered into between the United States and the Choctaw Indians? A I don't know.
- Q Did any of your ancestors remove from the Territory occupied by the Choctaw Nation in Mississippi and Alabama to the present Choctaw Nation in the Indian Territory at the time of the removal of the other members of the Choctaw tribe of Indians from 1833 to 1838? A My father and my brother.
- Q Away backs eventy years ago when the other ~~Indians~~ went? A Yes.
- Q Did any of your ancestors go to the United States Indian Agent here in Mississippi and tell him that they wanted to stay here and not go to the Territory, and take land here? A No.
- Q Have any of your ancestors ever claimed or received any land here in Mississippi under the provisions of the Fourteenth Article of the Treaty of 1830? A No.
- Q Are there any additional statements you desire to make in support of your case? A No.
- Q Have you any documentary evidence, affidavits, written testimony of any description, copies of records, deeds or patents, or any other proper papers showing that any of your ancestors were recognized members of the Choctaw tribe of Indians in 1830 when the Treaty of Dancing Rabbit Creek was made, or that they ever complied or attempted to comply with the provisions of the Fourteenth Article of the Treaty of 1830, or ever received any benefits under that article of that Treaty? A No.

(This applicant appears to be a full blood Choctaw Indian. He speaks the Choctaw language as his native language, but has sufficient knowledge of the English language to be examined in English.)

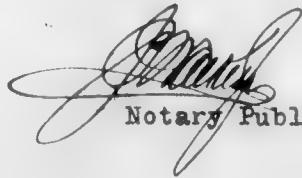
The decision of the Commission as to the application made by you at this time for the identification of yourself, your wife and these four minor children will be determined at the earliest possible date, and a report of the same made to the Secretary of the Interior conformable to the provisions of the Twenty First Section of the Act of Congress of June 28, 1898, and a copy of the same will be mailed to you at your postoffice address as given in your testimony.

R.S. Streit, being first duly sworn, upon his oath states that as stenographer to the Commission to the Five Civilized Tribes, he reported in full all proceedings had in the above entitled cause on the 3rd day of May, 1901, and that the above and foregoing is a full, true and correct translation of his stenographic notes of said proceedings on said date.

R.S. Streit

Jim Polk, et al., #4.

Subscribed and sworn to before me at Meridian, Mississippi,
this 25th day of May, 1901.


Notary Public.

C.W.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

In the matter of the application of Jim Polk, et al.,
for identification as Mississippi Choctaws, M.C.R. 2011

----- D E C I S I O N -----

It appears from the record herein that application for identification as Mississippi Choctaws was made to this Commission on May 3, 1901, by Jim Polk for himself, his wife, Melissie Polk and his four minor step-children, Clemmans, Frank, Tracy and Leanna Morris, under the following provision of the Act of Congress approved June 28, 1898(30 Stats. 495):

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto and make report to the Secretary of the Interior."

From the evidence submitted in support of said application it appears that all the applicants are full blood Mississippi Choctaw Indians.

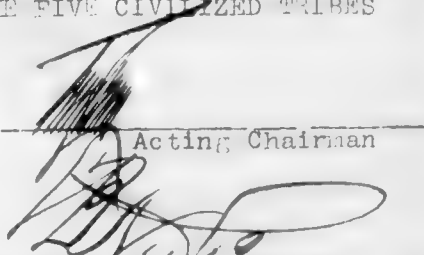
Section forty-one of the Act of Congress entitled "An Act to ratify and confirm an agreement with the Choctaw and Chickasaw

tribes of Indians, and for other purposes" approved July 1, 1902, (32 Stats. 641) and ratified by the Choctaw and Chickasaw Nations September 25, 1902, provides as follows:


"The application of no person for identification as a Mississippi Choctaw shall be received by said Commission after six months subsequent to the date of the final ratification of this agreement and in the disposition of such applications all full-blood Mississippi Choctaw Indians and the descendants of any Mississippi Choctaw Indians whether of full or mixed blood who received a patent to land under the said fourteenth article of the said treaty of eighteen hundred and thirty who had not moved to and made bona fide settlement in the Choctaw-Chickasaw country prior to June twenty-eighth, eighteen hundred and ninety-eight, shall be deemed to be Mississippi Choctaws entitled to benefits under article fourteen of the said treaty of September twenty-seventh, eighteen hundred and thirty, and to identification as such by said Commission, but this direction or provision shall be deemed to be only a rule of evidence and shall not be invoked by or operate to the advantage of any applicant who is not a Mississippi Choctaw of the full blood, or who is not the descendant of a Mississippi Choctaw who received a patent to land under said treaty, or who is otherwise barred from the right of citizenship in the Choctaw Nation, all of said Mississippi Choctaws so enrolled by said Commission shall be upon a separate roll."

It is, therefore, the opinion of this Commission that Jim Polk, Melissie Polk, Clemons Morris, Frank Morris, Tracy Morris and Leanna Morris should be identified as Mississippi Choctaws, and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES


Acting Chairman


Commissioner


Commissioner

Muskogee, Indian Territory

-FEB-14-1903-

Muskogee, Indian Territory, February 21, 1903.

Hansfield, McMurray & Cornish,

Attorneys for the Choctaw and Chickasaw Nations,
South McAlester, Indian Territory.

Gentlemen:

Enclosed herewith you will find a copy of the decision of the Commission rendered February 14, 1903, identifying Jim Polk, his wife, Melissa Polk, and step-children, Clemmans Morris, Frank Morris, Tracy Morris and Leanna Morris as Mississippi Choctaw Indians under the provisions of the forty-first section of the act of Congress approved July 1, 1902 (32 Stat., 641).

You are hereby advised that you will be allowed fifteen days from the date hereof, in which to file with this Commission such protest as you desire to make against the action of the Commission in identifying the said Jim Polk, his wife and step-children as Mississippi Choctaws, and make satisfactory proof of service of said protest upon the applicants herein.

If you fail to file such protest within the time allowed, the names of the applicants herein will be placed upon the schedule of duly identified Mississippi Choctaws now being prepared by this Commission.

Respectfully,

Tame Lacey,

~~Acting~~ Chairman.

~~Acting~~ Chairman.

Registered.

Enc. H.C. 18
Enc. H.C. 18

M.C.R. 2011

COPY.

Muskogee, Indian Territory, March 11, 1903.

Jim Polk,

Engine, Mississippi.

Dear Sir:

Enclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered February 14, 1903, identifying yourself, your wife, Melissie Polk and your minor step-children, Clemmens Morris, Frank Morris, Tracy Morris and Le-anna Morris as Mississippi Choctaw Indians under the provisions of Section 41 of the Act of Congress approved July 1, 1903, (32 Stats., 641).

If you remove to the Choctaw-chickasaw country, Indian Territory, before August 14, 1903, you will have six months from that date of until February 14, 1904, within which to make proof of such removal and settlement at the office of the Commission at Atoka, Choctaw Nation, or Tishomingo, Chickasaw Nation.

Respectfully,

(SIGNED).

Tame Bixby.

Chairman.

Registered.

Enc. 2011

M C R 2011

Muskogee, Indian Territory, April 25, 1906.

C. P. Hoggard,

Byars, Indian Territory.

Dear Sir:

Replying to your letter of the 7th instant, you are advised that this office does not deem it practicable to attempt to furnish you with the names of all the heirs of Jim Polk, a deceased Mississippi Choctaw. It is probable that he might have a number of heirs whose names do not appear upon the records of this office.

Respectfully,

Commissioner.

For Identification as a Mississippi Choctaw.

Date

MAY 3 1901

Name Jim Polk

Age 54 Blood full

Post Office, Engle, Miss.

Father: Holbatubber full b. d

Mother: don't know, " " d

Claims through both parents.

wife

Melissie full b. - 33

wife's father - Bill Penola full b. d

" mother - " " " d

Claims for self, wife & 8 children

Children. (Jim Polk's step children)

Clemmans Morris, 16

Frank Morris, 14

Tracy Morris, 12

Leanna " 10

Jim Morris - father of the children - full blood - d
Melissie, the mother.

See Miss Choce card files No. 180 -

Stenographer R. S. Sherr

James H. Volk, et al.
201

COPY OF DECISION FORWARDED
APPLICANT

MAR 11 1903

Choctaw MCR 2012

Fannie Solomon

MCR 2012

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

The within record is in the matter of the
application for the identification of Fannie Solomon, et al., as
Mississippi Choctaws,

M.C.R. 2012

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

In the matter of the application for the identification
of Fannie Solomon, et al., as Mississippi Choctaws, M.C.R. 2012

I N D E X

	Page
Original application for the identification of Fannie Solomon et al., as Mississippi Choctaws	1
Testimony of Nolie Billey in support of above application	5
Decision of the Commission identifying Fannie Solomon et al., as Mississippi Choctaws	7

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Philadelphia, Miss., May 3, 1901.

In the matter of the application of Sallie Bob for the identification of her minor children, Fannie Solomon and Jim Dixey, as Mississippi Choctaws.

Sallie Bob, having been first duly sworn, upon her oath testifies as follows:

Examination by the Commission:

- Q What is your name? A Sallie Bob.
- Q How old are ~~you~~ you? A Thirty five.
- Q What is your post office address? A Engine, Mississippi.
- Q How long have you lived in Mississippi? A All my life.
- Q Are you married? A Yes.
- Q What is your husband's name? A Henry Bob.
- Q Henry has appeared before the Commission this week? A Yes.
- Q How many children have you and Henry? A One.
- Q What is the name of that child? A Emma. But I have two other children by other men.
- ✓ Q When Henry was here the other day, he did not apply for these other two children? A No.
- ✓ Q You want to apply for them now? A Yes.
- Q Henry made application at that time for you? A Yes.
- ✓ Q What are the names of these two children for whom you want to make application? A Fannie Solomon.
- Q How old is Fannie? A About ten.
- ✓ Q What is the name of the other one? A Jim Dixey.
- Q How old is Jim? A About seven.
- ✓ Q Are they full blood Choctaws? A Yes.
- ✓ Q What is the name of Fannie's father? A Charley Solomon.
- Q Is he living? A Yes.
- ✓ Q Is he a full blood Choctaw? A Yes.
- Q Has he always lived in Mississippi? A Yes.
- Q You are the mother of Fannie? A Yes.
- ✓ Q What is Jim's father's name? A John Dixey.
- Q Is he living? A Yes.
- ✓ Q Full blood Choctaw? A Yes.
- Q Living in Mississippi? A Yes.
- Q Has he always lived here? A Yes.
- ✓ Q You are the mother of Jim? A Yes.
- Q Have Charley Solomon's forefathers and John Dixey's forefathers always lived in Mississippi? A Yes.
- Q Were you married to Charley Solomon? A Just like old fashion.
- Q By the Choctaw custom, do you ~~mean~~ mean? A Yes.
- Q How long did you live together as man and wife? A About two years.
- Q Were you married to John Dixey? A Yes Choctaw custom.
- Q And lived with him how long? A One year.
- Q Do you know the names of any of Charley Solomon's parents or grandparents? A No.
- Q Do you know the names of any of John Dixey's parents or grandparents? A No.
- Q Do you know whether John Dixey or Charley Solomon were ever recognized by the Choctaw tribal authorities in the Indian Territory or enrolled by them as members of the Choctaw tribe of Indians? A No.
- Q Have you ever been out there to the territory? A No.
- Q Have you ever been recognized in any manner or enrolled out in the Indian Territory by the Choctaw tribal authorities? A No.
- ✓ Q What is your father's name? A Billy Thompson.

Sallie Bob--- 2.

- Q Did he have a Choctaw name? A Yes, but I done forgot it.
- ✓ Q What is your mother's name? A Sookie.
- Q Are either of your parents living? A No.
- Q Both dead? A Yes.
- ✓ Q Both full bloods? A Yes.
- Q Do you know the names of any of your grandparents? A No.
- Q Are the names of either of these children on the Choctaw tribal rolls out in the Indian Territory? A Don't know.
- Q Did you ever make application or did any one else ever make application to the Choctaw tribal authorities out in the Indian Territory to have these children's names enrolled as members of the Choctaw tribe of Indians out there? A No.
- Q Did any one make application in 1896 to the Commission to the Five Civilized Tribes for citizenship in the Choctaw Nation for Fannie or Jim? A No.
- Q Neither of these children have ever been admitted to citizenship out in the Choctaw Nation by the Choctaw tribal authorities or by this Commission or by the United States Court out there in the Indian Territory? A No.
- Q Is this the first application that has ever been made for these two children or either of them to the tribal authorities of the Choctaw Nation or to the United States authorities? A Fannie was living with Tom Billey two years ago when the Commission was at Philadelphia with my consent, and I understand he gave Fannie's name into the Commission which was here at that time.
- Q Is Fannie living with you at this time? A Yes.
- Q How long did she live with Tom Billey? A About one year.
- Q You just let her go and stay with Tom Billey to work a little while? A Yes.
- Q Henry Bob made application for you two years ago, but he did not make application for either Fannie or Jim? A No.
- Q Did any one make application for Jim two years ago? A No.
- Q You didn't make application for him then? A No.
- Q Where were you when the Commission was here two years ago? A I was off making baskets.
- Q Where? A In Alabama.
- Q You were not living with Henry Bob then? A No.
- Q Did you take Jim with you to Alabama? A Yes.
- Q If any one else made application two years ago for Jim to the Commission, you do not know it? A No.

The records of the Commission fail to show that any application has ever heretofore been made for Jim Dixey for identification as a Mississippi Choctaw.

The Records of the Commission show that on January 30, 1899, Tom Billey appeared before the Commission at Philadelphia, Mississippi, and made application for the identification of himself, his wife and three children; He also made application for a child which he claimed to be an orphan. His testimony on this point given before the Commission at that time was as follows: "I have an orphan child with me named Fannie, six years old." The name of this child appears upon Mississippi Choctaw Card Field No. 14 as Fannie Billey, and upon the schedule of Mississippi Choctaws, page 56, which accompanied the report of the Commission to the Five Civilized Tribes of March 10, 1899, to the Secretary of the Interior as to the identity of Choctaw Indians residing in Mississippi claiming rights in the Choctaw lands under the provisions of article fourteen of the treaty of Dancing Rabbit Creek, being No. 61 thereon. 2

- Q Do you now want to make application for the identification of them

Sallie Bob---3.

two children as Mississippi Choctaws? A Yes.

Q Do you claim their rights under the provisions of the fourteenth article of the treaty of Dancing Rabbit Creek? A Yes.

Q Did either one of these children ever receive any benefits as Choctaw Indians? A No.

Q Did you ever receive any benefits as a Choctaw Indian? A No.

Q Did Charley Solomon or John Dixey ever receive any benefits as Choctaws? A No.

Q Did any of your ancestors, any of Charley Solomon's ancestors or any of John Dixey's ancestors ever receive any benefits whatever as Choctaws? A I don't know.

Q Were any of your ancestors, any of Charley Solomon's ancestors or any of John Dixey's ancestors living here in the old Choctaw Nation in Mississippi and Alabama in the year 1830 when the treaty of Dancing Rabbit Creek was made? A I don't know.

Q Were any of your ancestors, any of Charley Solomon's ancestors or any of John Dixey's ancestors recognized members of the Choctaw tribe of Indians at that time? A I don't know.

Q Did any of your ancestors, any of Charley Solomon's ancestors or any of John Dixey's ancestors remove from the old Choctaw Nation here in Mississippi and Alabama out west to the new Choctaw Nation in the Indian Territory when the main body of the Choctaws moved out there between the years 1833 and 1838? A I don't know.

Q Did any of your ancestors any of Charley Solomon's ancestors or any of John Dixey's ancestors within six months after this treaty of Dancing Rabbit Creek was ratified signify to the United States Indian Agent for the Choctaws here in Mississippi their intention to remain here in Mississippi and become citizens of the states? A I don't know.

Q Did any of your ancestors, any of Charley Solomon's ancestors or any of John Dixey's ancestors ever claim or receive any land here in the state of Mississippi under the provisions of the fourteenth article of the treaty of Dancing Rabbit Creek? A Don't know.

Q Did you ever hear of any of them getting any land? A No?

Q Are there any additional statements you want to make at this time in support of your application? A No, that is all.

Q Have you any documentary evidence, affidavits, written testimony of any description, copies of records, deeds or patents, or other proper papers showing that any of your ancestors, any of Charley Solomon's ancestors or any of John Dixey's ancestors were in the year 1830 when the treaty of Dancing Rabbit Creek was made recognized members of the Choctaw tribe of Indians, or that any of them complied or attempted to comply with the provisions of the fourteenth article of that treaty or ever received any benefits thereunder?

A No.

This applicant has ever appearance and characteristic of a full blood Indian. She speaks the Choctaw language and broken English.

The decision of the Commission as to the application made by at this time for the identification of your two minor children as Mississippi Choctaws will be determined at the earliest possible date and a report of the same made to the Secretary of the Interior conformable to the provisions of the twenty first section of the act of Congress of June 28, 1898, and a copy of the same will be mailed to you at your post office address as given in your testimony.

H.C.Risteen, having been first duly sworn, upon his oath states: That as stenographer to the Commission to the Five Civilized Tribes he reported in full all proceedings had in the above entitled cause on the 3rd day of May, 1901, and that the above and foregoing is a

Sallie Bob----4.

full, true and correct transcript of his stenographic notes of said proceedings on said date.

H. C. Rister

Subscribed and sworn to before me at Meridian, Mississippi, this 13th day of May, 1901.

[Signature]

Notary Public.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Philadelphia, Mississippi, May 4, 1901.

In the matter of the application of Sallie Bob for the identification of her minor children, Fannie Solomon and Jim Dixey, as Mississippi Choctaws, heard at Philadelphia, Miss., May 3, 1901.

Extract from the record in case of Nolie Billey, who on this date made application for the identification of herself and two minor children as Mississippi Choctaws, to be filed in above entitled cause:

Nolie Billey, having been first duly sworn, testified in part as follows, through Tom Tubbee, Official interpreter:

Examination by the Commission:

- Q What is your name? A Nolie Billey
Q What is your age? A Fifty.
Q What is your post office address? A Tucker, Mississippi.

Q You claim to be a full blood Choctaw, do you? A Yes.

The records of the Commission show that on January 30, 1899, Tom Billey appeared before the Commission at Philadelphia, Mississippi, and made application for the identification of himself, his wife, Mollie, and minor children, Martha, Charles C. and Plana, also for a child named Fannie, whom he stated was an orphan, the names of these persons appearing upon Mississippi Choctaw Card Field No. 14, and upon the schedule of Mississippi Choctaws which accompanied the Commission's report of March 10, 1899, to the Secretary of the Interior as to the identity of Choctaw Indians residing in Mississippi, claiming rights in the Choctaw lands under the provisions of the fourteenth article of the treaty of Dancing Rabbit Creek, being Nos. 56, 57, 58, 59, 60 and 51 respectively thereon.

- Q At the time Tom Billey appeared before the Commission two years ago he gave in the name of a child named Fannie, whom he stated was an orphan; was such a child living in your family at that time?
A Yes.
Q What is the surname of the child? A Never knew what the surname was--just Fannie.
Q What is the name of this child's mother? A Sallie Bob.
Q Was Sallie Bob living when this child was living with you two years ago? A Yes.
Q Is she living now? A Yes.
Q What is Sallie's husband's name? A Henry Bob.
Q Was Fannie her child by a former husband? A Yes.
Q How did this child happen to be in your family two years ago.
Q It was sick---puny, and Tom Billy gave it medicine at that time.
Q Why was it her mother did not keep her? A She went making baskets somewhere.
Q How old a child is Fannie now? A About seven.
Q Fannie is living with her mother now? A Yes.

H.C. Risteen having been first duly sworn, upon his oath states: That as stenographer to the Commission to the Five Civilized Tribes he reported in full the testimony of Nolie Billey in the matter of her application for identification for herself and two minor children as Mississippi Choctaws, and that the above and foregoing is a full,

---2---

true and correct transcript of that portion of said Nollie Billey's testimony which has reference to the application of Sallie Bob for the identification of her minor children, Fannie Solomon and Jim Dixey, as Mississippi Choctaws.

H. C. Risten

Subscribed and sworn to before me this 18th day of May, 1901,
at Meridian, Mississippi.

[Signature]
Notary Public.

Cow

DEPARTMENT-OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

In the matter of the application for the identification
of Fannie Solomon, et al., as Mississippi Choctaws, M.C.R. 2012

-----D E C I S I O N -----

It appears from the record herein that application for
identification as Mississippi Choctaws was made to this Commission
on May 3, 1901, by Sallie Bob for her two minor children, Fannie
Solomon and Jim Dixey, under the following provision of the Act of
Congress approved June 28, 1898 (30 Stats. 495):

"Said Commission shall have authority to determine the
identity of Choctaw Indians claiming rights in the Choctaw
lands under article fourteen of the treaty between the United
States and the Choctaw Nation, concluded September twenty-
seventh, eighteen hundred and thirty, and to that end may
administer oaths, examine witnesses and perform all other acts
necessary thereto and make report to the Secretary of the
Interior."

From the evidence submitted in support of said application
it appears that both the applicants are full blood Mississippi
Choctaw Indians.

Section forty-one of the Act of Congress entitled "An Act
to ratify and confirm an agreement with the Choctaw and Chickasaw
tribes of Indians, and for other purposes" approved July 1, 1902,

(32 Stats. 641) and ratified by the Choctaw and Chickasaw Nations September 25, 1902, provides as follows:

"The application of no person for identification as a Mississippi Choctaw shall be received by said Commission after six months subsequent to the date of the final ratification of this agreement and in the disposition of such applications all full-blood Mississippi Choctaw Indians and the descendants of any Mississippi Choctaw Indians whether of full or mixed blood who received a patent to land under the said fourteenth article of the said treaty of eighteen hundred and thirty who had not moved to and made bona fide settlement in the Choctaw-Chickasaw country prior to June twenty-eighth, eighteen hundred and ninety-eight, shall be deemed to be Mississippi Choctaws entitled to benefits under article fourteen of the said treaty of September twenty-seventh, eighteen hundred and thirty and to identification as such by said Commission, but this direction or provision shall be deemed to be only a rule of evidence and shall not be invoked by or operate to the advantage of any applicant who is not a Mississippi Choctaw of the full blood, or who is not the descendant of a Mississippi Choctaw who received a patent to land under said treaty, or who is otherwise barred from the right of citizenship in the Choctaw Nation, all of said Mississippi Choctaws so enrolled by said Commission shall be upon a separate roll."

It is, therefore the opinion of this Commission that Fannie Solomon and Jim Dixey should be identified as Mississippi Choctaws, and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES

Chairman

Commissioner

C. R. Nechemie,
Commissioner

W. E. Hawley
— SONGS —

Muskegee, Indian Territory

JUL 8 1903

M.C.R. 2012

COPY,

Muskogee, Indian Territory, July 8, 1903.

Sallie Bob,

Engino, Mississippi.

Dear Madam:

Inclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered July 8, 1903, identifying your minor children, Fannie Solomon and Jim Dixey, as Mississippi Choctaw Indians under the provisions of Section 41 of the Act of Congress approved July 1, 1902 (32 Stats., 641).

If they remove to the Choctaw-Chickasaw country, Indian Territory, before January 8, 1904, they will have six months from that date, or until July 8, 1904, within which to make proof of such removal and settlement at the office of the Commission at Atoka, Choctaw Nation, or Tishomingo, Chickasaw Nation.

Respectfully,

(SIGNED)

T. B. Needles.

Commissioner in Charge.

Registered.

Rno. 2012.

COPY.

M.C.F. 2012

Muskogee, Indian Territory, July 8, 1903.

Mansfield, McMurray & Cornish,
Attorneys for Choctaw and Chickasaw Nations,
South McAlester, Indian Territory.

Gentlemen:

Inclosed herewith you will find a copy of the decision of the Commission, rendered July 6, 1903, identifying Fannie Solomon and Jim Dixey as Mississippi Choctaw Indians under the provisions of Section 41 of the Act of Congress approved July 1, 1902 (32 Stat., 641).

You are hereby advised that you will be allowed fifteen days from the date hereof in which to file with this Commission such protest as you desire to make against the action of the Commission in identifying the said Fannie Solomon and Jim Dixey as Mississippi Choctaws and make satisfactory proof of service of said protest upon the applicants herein.

If you fail to file such protest within the time allowed, the names of the applicants herein will be placed upon the schedule of duly identified Mississippi Choctaws now being prepared by this Commission.

Respectfully,

(SIGNED)

I. B. Needles.

Registered.
Enc. 2012.

Commissioner in Charge.

For Identification as a Mississippi Choctaw.

Date MAY 3 1901

Name Sallie Bob,

Age 35 Blood

Post Office, Engine, Miss.

~~Mother:~~ This applicant appears
~~name:~~ for her two children~~(name through name & below)~~Her name and that of Henry Bob
appear on Miss. (Choctaw) Card
Field No. 205.)

Children.

Fannie Solomon (born 10

Father Charley " L

Mother Sallie Bob L

(Ate Fannie Solomon see Miss. Choctaw
Card No. 14, other name Herson as Fannie
Belly)

Jim Dixey 7

Father John Dixey L

Mother Sallie Bob, L

Stenographer

H. C. Risten

DEPARTMENT OF THE INTERIOR

1880

RECEIVED OCT 10 1880

Fannie Solomon et al

Choctaw MCR 2013

Mollie Bob

MCR 2013

MISSISSIPPI CHOCTAW

Mollie Bob.

IDENTIFIED

DECISION ENTERED APR 11 1907

NOTICE OF DECISION MAY 1 1907

NOTICE OF DECISION FOR CHOCTAW APR 11 1907

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

The within record is in the matter of
the application of Mollie Bob for identification as a
Mississippi Choctaw,

M.C.R. 2013.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

In the matter of the application of Mollie Bob for
identification as a Mississippi Choctaw, M.C.R. 2013.

I N D E X

	Page
Original application of Mollie Bob to the Dawes Commission for identification as a Mississippi Choctaw	1
Decision of the Commission identifying Mollie Bob as a Mississippi Choctaw	4

2213

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Philadelphia, Mississippi, May 3, 1901.

In the matter of the application of Mollie Bob for identification as a Mississippi Choctaw.

Mollie Bob, having been first duly sworn, upon her oath testifies as follows, through Tom Tubbee, Official interpreter:

Examination by the Commission.

- Q What is your name? A Mollie Bob.
- Q What is your age? A Fifty two.
- Q What is your post office address? A Engine, Mississippi.
- Q How long have you lived in Mississippi? A All my life.
- ✓ Q Is your father living? A Dead.
- ✓ Q What was your father's name? A Pisuntubbee.
- Q Did he have any English name? A No, just Pisuntubbee.
- ✓ Q Is your mother living? A Dead long time.
- ✓ Q What was her name? A Ama.
- Q Have any Choctaw name? A That is Choctaw Name.
- ✓ Q Were your father and mother both full blood Choctaws? A Yes.
- Q Did they always live in Mississippi? A Yes
- ✓ Q You claim to be a full blood do you? A Yes.
- Q Have all of your ancestors lived in Mississippi all their lives as far as you know? A Yes, been here Mississippi all their lives.
- Q Were either of your parents, your father or mother, ever recognized in any manner or enrolled as members of the Choctaw tribe of Indians in the Indian Territory either by the Choctaw tribal authorities or the United States authorities? A Don't know.
- Q Are you married? A No, been married, but my husband is dead.
- Q Have you any children under twenty one that are not married?
A No.
- ✓ Q This application is solely for yourself? A Yes.
- Q Is your name on any of the tribal rolls of the Choctaw Nation out in the Indian Territory? A No.
- Q Did you ever apply to the Choctaw tribal authorities out in the Indian Territory to be enrolled as members of that tribe? A No.
- Q Did you in 1896 make application to the Commission to the Five Civilized Tribes for citizenship in the Choctaw Nation under the act of Congress of June 10, 1896, or did any one else make such an application for you? A Two years ago is all.
- Q You appeared before the Commission here at Philadelphia two years ago did you? A Yes.
- Q You never have been admitted to citizenship in the Choctaw Nation by the Choctaw tribal authorities, the Commission to the Five Civilized Tribes or by the United States Court? A No.

The records of the Commission show that on January 31, 1899, this applicant appeared before the Commission at Philadelphia, Mississippi, and made application for identification as a Mississippi Choctaw, her name appearing upon Mississippi Choctaw card Field No. 186, and also upon page 59 of the schedule of Mississippi Choctaws which accompanied the report of March 10, 1899, of the Commission to the Five Civilized Tribes to the Secretary of the Interior as to the identity of Mississippi Choctaws residing in Mississippi and claiming rights in the Choctaw lands under article fourteen of the treaty of Dancing Rabbit Creek, being No. 646 thereon.

- Q Is your desire at this time to make application for identification

Mollie Bob---2.

as a Mississippi Choctaw? A Yes.

Q Do you claim your rights as a beneficiary under the provisions of the fourteenth article of the treaty of Dancing Rabbit Creek? A Yes.

Q Have you ever received any benefits as a Choctaw? A No.

Q Did any of your ancestors ever receive any benefits as a Choctaw?

A My grandma got it.

Q When did your grandma get? A Got it from the nation--got money.

Q What was your grandmother's name? A Thloahonah.

Q When did your grandma get this money out in the nation? A I don't know.

Q How much did she get? A I don't know.

Q How long did your grandma live out in the nation? A I don't know.

Q About how long? A She went out there when I was little girl--I don't know nothing about it.

Q Did your grandma come back to Mississippi? A Yes.

Q Do you know the names of any of your other grandparents? A My grandpa's name was Okolubbee.

Q Were Okolubbee and Thloahonah your mother's father and mother or your father's father and mother? A Don't know.

Q Do you know the names of your other two grandparents? A That is all the ones I know.

Q Were any of your ancestors living here in Mississippi and Alabama in the old Choctaw Nation in 1830 when the treaty of Dancing Rabbit Creek was made? A Don't know.

Q Were any of your ancestors recognized members of the Choctaw tribe of Indians at that time? A Don't know.

Q Did any of your ancestors remove from the old Choctaw Nation in Mississippi and Alabama to the present Choctaw Nation in the Indian Territory when the main part of the Choctaw tribe of Indians moved out there between the years 1833 and 1838? A Don't know.

Q Are you sure your grandmother didn't go out there when all the Choctaws went out there? A Don't know, but grandma been there, and I seen money--don't know about it much.

Q Did any of your ancestors within six months after the ratification of the treaty of Dancing Rabbit Creek signify to the United States Indian Agent for the Choctaws here in Mississippi their intention to remain here and become citizens of the states? A Don't know.

Q Did any of your ancestors ever claim or receive any land in Mississippi from the government of the United States as beneficiaries under the fourteenth article of the treaty of Dancing Rabbit Creek? A No.

Q Are there any additional statements you want to make at this time in support of your application? A No.

Q Have you any documentary evidence, affidavits, written testimony of any description, copies of records, deeds or patents, or other proper papers showing that any of your ancestors were recognized members of the Choctaw tribe of Indians here in Mississippi in 1830 when the treaty of Dancing Rabbit Creek was entered into between the government of the United States and the Choctaw Indians, or that they ever ~~claimed or received~~ complied or attempted to comply with the provisions of the fourteenth article of the treaty of 1830 or ever received any benefits under that article of that treaty? A No.

This applicant has ever appearance of a full blood Indian. She speaks the Choctaw language and but very little English, the examination having been conducted chiefly through a sworn Choctaw interpreter.

2

The decision of the Commission as to your application for identification as a Mississippi Choctaw will be determined at the

Mollie Bob----3.

earliest possible date and a report of the same made to the Secretary of the Interior conformable to the provisions of the twenty first section of the act of Congress of June 28, 1898, and a copy of the same will be mailed to you at your post office address as given in your testimony.

H.C.Risteen, having been first duly sworn, upon his oath states: That as stenographer to the Commission to the Five Civilized Tribes he reported in full all proceedings had in the above entitled cause on the 3rd day of May, 1901, and that the above and foregoing is a full true and correct transcript of his stenographic notes of said proceedings on said date.

H.C. Risteen

Subscribed and sworn to before me at Meridian, Mississippi, this 13th day of May, 1901.

[Signature]

Notary Public.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

Cover
In the matter of the application of Mollie Bob for
identification as a Mississippi Choctaw, W.C.R. 2013.

-----D E C I S I O N -----

It appears from the record herein that application for
identification as a Mississippi Choctaw was made to this Commission
on May 3, 1901, by Mollie Bob for herself, under the following
provision of the Act of Congress approved June 28, 1898 (30 Stats.
495):

"Said Commission shall have authority to determine the
identity of Choctaw Indians claiming rights in the Choctaw
lands under article fourteen of the treaty between the United
States and the Choctaw Nation, concluded September twenty-
seventh, eighteen hundred and thirty and to that end may
administer oaths, examine witnesses and perform all other acts
necessary thereto and make report to the Secretary of the
Interior."

From the evidence submitted in support of said application
it appears that the applicant is a full blood Mississippi Choctaw
Indian.


Section forty-one of the Act of Congress entitled "An Act
to ratify and confirm an agreement with the Choctaw and Chickasaw
tribes of Indians, and for other purposes" approved July 1, 1902,

(32 Stats. 641) and ratified by the Choctaw and Chickasaw Nations September 25, 1902, provides as follows:

"The application of no person for identification as a Mississippi Choctaw shall be received by said Commission after six months subsequent to the date of the final ratification of this agreement and in the disposition of such applications all full-blood Mississippi Choctaw Indians and the descendants of any Mississippi Choctaw Indians whether of full or mixed blood who received a patent to land under the said fourteenth article of the said treaty of eighteen hundred and thirty who had not moved to and made bona fide settlement in the Choctaw-Chickasaw country prior to June twenty-eighth, eighteen hundred and ninety-eight, shall be deemed to be Mississippi Choctaws, entitled to benefits under article fourteen of the said treaty of September twenty-seventh, eighteen hundred and thirty, and to identification as such by said Commission, but this direction or provision shall be deemed to be only a rule of evidence and shall not be invoked by or operate to the advantage of any applicant who is not a Mississippi Choctaw of the full blood, or who is not the descendant of a Mississippi Choctaw who received a patent to land under said treaty, or who is otherwise barred from the right of citizenship in the Choctaw Nation, all of said Mississippi Choctaws so enrolled by said Commission shall be upon a separate roll."

It is, therefore, the opinion of this Commission that Mollie Bob should be identified as a Mississippi Choctaw, and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES


Acting Chairman

Commissioner


Commissioner

Muskogee, Indian Territory

APR 11 1903

5


Commissioner

COPY.

M.C.R. 2013.

Muskogee, Indian Territory, April 11, 1903.

Mansfield, McMurray & Cornish,

Attorneys for the Choctaw and Chickasaw Nations,
South McAlester, Indian Territory.

Gentlemen:

Enclosed herewith you will find a copy of the decision of the Commission rendered April 11, 1903, identifying Mollie Bob as a Mississippi Choctaw Indian under the provisions of the act of Congress approved July 1, 1902, (32 Stats., 641).

You are hereby advised that you will be allowed fifteen days from the date hereof, in which to file with this Commission such protest as you desire to make against the action of the Commission in identifying the said Mollie Bob as a Mississippi Choctaw, and make satisfactory proof of service of said protest upon the applicant herein.

If you fail to file such protest within the time allowed, the name of the applicant herein will be placed upon the schedule of duly identified Mississippi Choctaws now being prepared by this Commission.

Respectfully,

(SIGNED) *Tame Dixie.*

Chairman.

Registered.
Enc. 2013.

Muskogee, Indian Territory, April 27, 1903.

Mollie Bob,

Engine, Mississippi.

Dear Madam:

Enclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered April 11, 1903, identifying you as a Mississippi Choctaw Indian under the provisions of article 41 of the Act of Congress approved July 1, 1902, (32 Stats., 641).

If you remove to the Choctaw-Chickasaw country, Indian Territory, before October 11, 1903, you will have six months from that date, or until April 11, 1904, within which to make proof of such removal and settlement at the office of the Commission at Atoka, Choctaw Nation, or Tishomingo, Chickasaw Nation.

Respectfully,

(SIGNED)

Lamo Wilson

Chairman.

Registered.

Enc. 2013.

For Identification as a Mississippi Choctaw.

Date

Name Mollie Bob,

Age 52 Blood full

Post Office, Engineer, Miss.

Father: Pis un-tobbee (dead)

Mother: Anna

Claims through full parents
 (Claims for herself and 4)

(See notes Ch. case and to
 186. Testimony of 1/1/99)

~~Children:~~

Stenographer

H. C. Risten

Choctaw MCR 2014

Young Billey

MCR 2014

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

The within record is in the matter of the
application of Young Billey et al., for identification as
Mississippi Choctaws,
M.C.R. 2014.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

In the matter of the application of Young Billey et al.,
for identification as Mississippi Choctaws, M.C.R. 2014.

I N D E X

	Page
Original application of Young Billey et al., to the Dawes Commission for identification as Mississippi Choctaws	1
Decision of the Commission identifying Young Billey et al., as Mississippi Choctaws	5

2-14

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Philadelphia, Mississippi, May 3, 1901.

In the matter of the application of Young Billey for the identification of himself, his wife and five minor children as Mississippi Choctaws.

Young Billey, having been first duly sworn, upon his oath ~~states~~ testifies as follows, through Tom Tubbee, official interpreter:

Examination by the Commission:

- Q What is your name? A Young Billey.
Q How old are you? A Sixty six.
Q What is your post office address? A Tucker, Mississippi.
Q How long have you lived in Mississippi? A All my life.
Q Is your father living? A Dead.
Q What was his name? A Yahfin Billey---Thlopotubbee.
Q Is your mother living? A Dead.
Q What was her name? A Ahbehoke.
Q Were your father and mother both full blood Choctaws? A Yes.
Q Did they always live in Mississippi? A Yes.
Q Have all of your ancestors as far as you know always lived in Mississippi? A Yes.
Q You claim to be a full blood Choctaw? A Yes.
Q Were either of your parents ever recognized in any manner or enrolled as members of the Choctaw tribe of Indians by the Choctaw tribal authorities or by the United States authorities? A No.
Q Are you married? A Yes.
Q What is your wife's name? A Sallie.
Q Is your wife living? A Yes.
Q How old is she? A Forty.
Q Do you want to make application for her? A Yes.
Q Is she a full blood Choctaw? A Yes.
Q Is her father living? A Dead.
Q What was his name? A Tom.
Q Any other name? A Aint heard---just Tom.
Q Is your wife's mother living? A No.
Q What was her name? A I don't know.
Q Were both of your wife's parents full blood Choctaw Indians? A Yes.
Q Did they always live in Mississippi? A Yes.
Q Did your wife always live in Mississippi? A Yes.
Q Were either of your wife's parents ever recognized in any manner or enrolled as members of the Choctaw tribe of Indians by the Choctaw tribal authorities or by the United States authorities? A No.
Q Have your wife's ancestors, all of them, always lived in Mississippi so far as you know? A Yes.
Q Were you married to your wife under a license or according to the Choctaw custom? A Under license.
Q Where did you get the license? A At Philadelphia
Q From whom? A Sam Stribling.
Q What office did he hold at that time? A Don't know.
Q Who performed the marriage ceremony between yourself and wife?
A Fellow named priest--Father Becker.
Q He used to be in charge of the Catholic Mission near here? A Yes.
Q Have you your marriage license and certificate with you? A No.
Q Have you any children under twenty one and unmarried? A Yes.
Q Give their names and ages? A Fabie, seventeen.
Q What is the next one? A Alam, thirteen.
Q What is the next one? A Betty, six.
Q Next one? A Ina, four.
- 1

Young Billey--- 2.

Q Next one? A Charley, two.

Q Are all these children living? A Yes.

Q You are the father of all these children? A Yes.

Q What is the name of their mother? A Sallie.

Q This application then is for yourself, you wife, Sallie, and five children? A Yes.

Q Is your name, your wife's name or the name of any one of these children on the Choctaw tribal rolls out in the Choctaw Nation, Indian Territory? A Don't know.

Q Did you ever make application to the Choctaw tribal authorities for yourself, your wife or any of these children to be enrolled on the Choctaw tribal rolls out in the Indian Territory? A No.

Q Did you make application to the Commission to the Five Civilized Tribes in the year 1896 for yourself, your wife or any of these children for citizenship in the Choctaw Nation under the act of Congress of June 10, 1896? A No.

The records of the Commission show that in the year 1896, this applicant made application to the Commission to the Five Civilized Tribes for citizenship in the Choctaw Nation for himself, his wife and three children, Fabie, Alam and Betty, under the act of Congress of June 10, 1896, their names being included in the case of Jack Amos, et al vs. the Choctaw Nation. This application was filed with the Commission on September 10, 1896. On December 7th, 1896, the application was denied by the Commission. From the decision of the Commission an appeal was taken to the United States Court for the Central District of the Indian Territory, which Court on August 25, 1897, affirmed the decision of the Commission denying the application. Appeal was then taken by the petitioners to the Supreme Court of the United States where the decision of the lower Court was affirmed.

Q Have you, your wife or any of your children ever been admitted to citizenship in the Choctaw Nation by the Choctaw tribal authorities, the Commission to the Five Civilized Tribes or by the United States Court for the Indian Territory? A No.

Q Have you ever made application before this time for yourself, your wife or these children to the Choctaw tribal authorities or the United States authorities to be enrolled or admitted as citizens of the Choctaw Nation except the application in 1896 above referred to?

A Go to Commission---before McKennon that is all.

The records of the Commission show that on January 30, 1899, this applicant appeared before the Commission at Philadelphia, Mississippi, and made application for the identification of himself, his wife, Sallie, and his minor children, Fabie, Alam, Betty and Ina, as Mississippi Choctaws, their names appearing upon Mississippi Choctaw card, Field No. 118; the names of these parties also appear upon the schedule of Mississippi Choctaws which accompanied the report of March 10, 1899, of the Commission to the Five Civilized Tribes to the Secretary of the Interior as to the identity of Choctaw Indians residing in Mississippi claiming rights in the Choctaw lands under the provisions of the fourteen th article of the treaty of Dancing Rabbit Creek, on page 50 of said schedule, being Nos. 413, 414, 415, 416, 417 and 418 respectively thereon.

Q Charley was born since you applied to the Commission two years ago
A Yes.

Q When was he born? A February 9, 1899.

Q Do you want to make application for the identification of yourself your wife and these minor children as Mississippi Choctaws? A Yes.

Young Billey---3.

Q Do you claim your rights as beneficiaries under the fourteenth article of the treaty of Dancing Rabbit Creek A Yes.

Q Did you ever receive any benefits as a Choctaw Indian? A No.

Q Did your wife ever receive any benefits? A No.

Q Did any of your ancestors or any of your wife's ancestors ever receive any benefits as Choctaw Indians. A My pa been out in Choctaw Nation and got money.

Q When was your father out there? A Since the Indians moved out of here.

Q How old were you when your father moved out there? A Over eight years.

Q How long did your father stay out there? A I was little boy and dont know how long.

Q He came back here did he? A He came back.

Q Were any of your ancestors or any of your wife's ancestors living in the old Choctaw Nation in Mississippi and Alabama in 1830 when the treaty of Dancing Rabbit Creek was made? A Don't know.

Q Were any of your ancestors or any of your wife's ancestors recognized members of the Choctaw tribe of Indians at that time? A Don't know.

Q Did any of your ancestors or any of your wife's ancestors remove from the old Choctaw Nation here in Mississippi and Alabama to the present Choctaw Nation out in the Indian Territory at the time of the removal of the larger part of the tribe between the years 1833 and 1838? A Don't know.

Q Did any of your ancestors or any of your wife's ancestors within six months after the ratification of the treaty of Dancing Rabbit Creek signify to the United States Indian Agent for the Choctaws here in Mississippi their intention to remain in Mississippi and become citizens of the states? A Don't know.

Q Did any of your ancestors or any of your wife's ancestors ever claim or receive any land in Mississippi as beneficiaries under the fourteenth article of the treaty of dancing Rabbit creek? A Don't know.

Q Did you ever hear of any of your ancestors getting any land? A Just heard.

Q Which one of your ancestors did you hear got land here in Mississippi? A Don't know.

Q Did you ever hear of any of your wife's ancestors getting any land here? A No.

Q Are there any additional statements you desire to make at this time in support of this application? A No.

Q Have you any documentary evidence, affidavits, written testimony of any description, copies of records, deeds or patents, or any proper papers showing that your ancestors were recognized members of the Choctaw tribe of Indians here in Mississippi in 1830 when the treaty of Dancing Rabbit Creek was made between the United States and the Choctaw Indians, or that any of them ever complied or attempted to comply with the provisions of the fourteenth article of that treaty or ever received any benefits thereunder? A No.

This applicant has every appearance and characteristic of a full blood Indian. He does not speak the English language, his examination having been conducted through a sworn Choctaw interpreter.

The decision of the Commission as to the application made by you at this time for the identification of yourself, your wife and minor children as Mississippi Choctaws will be determined at the earliest possible date and a report of the same made to the

Young Billey---4.

Secretary of the Interior ~~is~~ conformable to the provisions of the twenty first section of the act of Congress of June 28, 1898, and a copy of the same will be mailed to you at your post office address as given in your testimony.

H.C.Risteen, having been first duly sworn, upon his oath states: That as stenographer to the Commission to the Five Civilized Tribes he reported in full all proceedings had in the above entitled cause on the 3rd day of May, 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes of said proceedings on said date.

H.C. Risteen

Subscribed and sworn to before me this 13th day of May, 1901, at Meridian, Mississippi.

J. M. ...

Notary Public.

C. W.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

In the matter of the application of Young Billey, et al.,
for identification as Mississippi Choctaws, M.C.R. 2014.

-----D E C I S I O N -----

It appears from the record herein that application for identification as Mississippi Choctaws was made to this Commission on May 3, 1901, by Young Billey for himself, his wife, Sallie and his five minor children, Fabie, Alam, Betty, Ina and Charley Billey under the following provision of the Act of Congress approved June 28, 1898(30 Stats. 495):

"Said Commission shall have authority to determine the identity of Choctaw-Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto and make report to the Secretary of the Interior."

From the evidence submitted in support of said application it appears that all the applicants are full blood Mississippi Choctaw Indians.

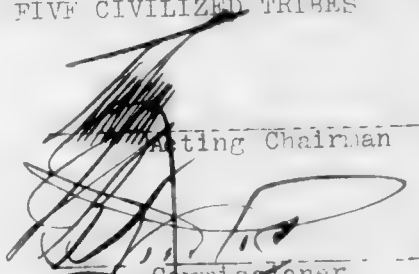

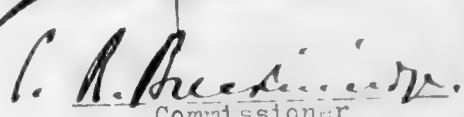
Section forty-one of the Act of Congress entitled "An Act To ratify and confirm an agreement with the Choctaw and Chickasaw tribes of Indians, and for other purposes" approved July 1, 1902,

(32 Stats. 641) and ratified by the Choctaw and Chickasaw Nations September 15, 1902, provides as follows:

"The application of no person for identification as a Mississippi Choctaw shall be received by said Commission after six months subsequent to the date of the final ratification of this agreement and in the disposition of such applications all full-blood Mississippi Choctaw Indians and the descendants of any Mississippi Choctaw Indians whether of full or mixed blood who received a patent to land under the said fourteenth article of the said treaty of eighteen hundred and thirty who had not moved to and made bona fide settlement in the Choctaw-Chickasaw country prior to June twenty-eighth, eighteen hundred and ninety-eight, shall be deemed to be Mississippi Choctaws, entitled to benefits under article fourteen of the said treaty of September twenty-seventh, eighteen hundred and thirty, and to identification as such by said Commission, but this direction or provision shall be deemed to be only a rule of evidence and shall not be invoked by or operate to the advantage of any applicant who is not a Mississippi Choctaw of the full blood, or who is not the descendant of a Mississippi Choctaw who received a patent to land under said treaty, or who is otherwise barred from the right of citizenship in the Choctaw Nation, all of said Mississippi Choctaws so enrolled by said Commission shall be upon a separate roll."

It is, therefore, the opinion of this Commission that Young Billey, Sallie Billey, Fabie Pilley, Alam Billey, Betty Billey, Ina Billey and Charley Billey should be identified as Mississippi Choctaws, and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES


Acting Chairman

Commissioner

C. A. Presiding
Commissioner

Muskogee, Indian Territory

FEB 14 1903

COPY.

M C R 2014

Muskogee, Indian Territory, February 21, 1903.

Mansfield, McMurray & Cornish,

Attorneys for the Choctaw and Chickasaw Nations

South McAlester, Indian Territory.

Gentlemen:

Enclosed herewith you will find a copy of the decision of the Commission rendered February 14, 1903, identifying Young Billey, his wife Sallie Billey, and minor children Fable Billey, Alam Billey, Betty Billey, Ina Billey and Charley Billey as Mississippi Choctaw Indians under the provisions of the forty-first section of the act of Congress approved July 1, 1902, (32 Stats., 641).

You are hereby advised that you will be allowed fifteen days from the date hereof, in which to file with this Commission such protest as you desire to make against the action of the Commission in identifying the said Young Billey, his wife, and minor children as Mississippi Choctaws, and make satisfactory proof of service of said protest upon the applicants herein.

If you fail to file such protest within the time allowed, the names of the applicants herein will be placed upon the schedule of duly identified Mississippi Choctaws now being prepared by this Commission.

Respectfully,

(ED)

Tamc Dixie.

Acting Chairman.

Register.
GR-enol-2014.

COPY.

H.C.R. 2014

Muskegee, Indian Territory, March 11, 1903.

Young Billey,

Tucker, Mississippi.

Dear Sir:

Enclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered February 14, 1903, identifying yourself, your wife, Sallie Billey, and your minor children, Fabie, Alan, Betty, Ina and Charley Billey, as Mississippi Choctaw Indians under the provisions of section 41 of the act of Congress approved July 1, 1902 (32 Stats., 641).

If you remove to the Choctaw-Chickasaw country, Indian Territory, before August 14, 1903, you will have six months from that date or until February 14, 1904, within which to make proof of such removal and settlement at the office of the Commission at Ateka, Choctaw Nation, or Tishomingo, Chickasaw Nation.

Respectfully,

Sam. Dwyer.

Chairman.

Registered.

Kno. 2014.

M.C.I. 352

Muskogee, Indian Territory, August 26, 1903.

Commissioner in Charge,

Chickasaw Land Office,

Tishomingo, Indian Territory,

Dear Sir:

You are advised that the following notation has this day been made on identified Mississippi Choctaw card, Number 352:

SETTLEMENT ADDRESS "Atoka, Ind. Ter."

DATE OF PROOF OF SETTLEMENT "August 18, 1903."

"No. 3 is a female -- see testimony of 8/18/03."

"No. 3 is wife of No. 1 on card 404."

You are therefore requested to make corresponding entries upon the duplicate Mississippi Choctaw card in your possession.

Respectfully,

Commissioner in Charge.

Muskogee, Indian Territory, August 27, 1903.

Commissioner in Charge,

Chickasaw Land Office,

Tishomingo, Indian Territory,

Dear Sir:

You are hereby advised that the following notations have been made upon identified Mississippi Choctaw cards at this office and the information is forwarded you that the records of your office may be accordingly changed:

On Mississippi Choctaw card Number 352:

SETTLEMENT ADDRESS "Atoka, Ind. Ter."

DATE OF SETTLEMENT "Aug. 18, 1903."

No. 3 is wife of No. 1 on card 404."

"No. 3 is a female -- see testimony of 8/18/03."

On card 404.

SETTLEMENT ADDRESS "Atoka, Ind. Ter."

DATE OF PROOF OF SETTLEMENT "Aug. 18, 1903."

"No. 1 is husband of No. 3 on card 352."

Respectfully,

Chairman.

Miss. Choctaw

BIRTH AFFIDAVIT.

20

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FOR IDENTIFICATION AS
A MISSISSIPPI CHOCTAW

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,
of Charley Billey, born on the 9 day of February, 1899
(Here insert name of child)
Name of Father: Young Billey, a citizen of the Choctaw Nation.
Name of Mother: Sallie Billey, a citizen of the " Nation.
Post-office, Tucker Miss

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, | S.S.

State of Mississippi |
County of Neshoba

I, Sallie Billey, on oath state that I am 40
years of age and a Choctaw Indian by blood
that I am the lawful wife of Young Billey, who is a Choctaw Indian by blood;
Choctaw Indian of the Nation, that a male child was
born to me on the 9 day of February 1899; that said child has been
named Charley Billey, and is now living.

WITNESSES TO MARRIAGE

(Must be Two
Witnesses)

G. L. Emerson
H. C. Nisteen

Subscribed and sworn to before me this 3 day of May 1901.

Howell I. Quinn
Justice of the Peace Dist No. 1
Neshoba County State of Miss

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, | S.S.

State of Mississippi |
County of Neshoba

I, Nolie Billey, a midwife, on oath state that I
attended on Sallie Billey, wife of Young Billey,
on the 9 day of February 1899; that there was born to her on
said date a male child; that said child is now living and is said to have been
named Charley Billey, her

WITNESSES TO MARRIAGE

(Must be Two
Witnesses)

G. L. Emerson
H. C. Nisteen

Subscribed and sworn to before me this 3 day of May 1901.

Howell I. Quinn
Justice of the Peace Dist No. 1
Neshoba County State of Miss

**FOR IDENTIFICATION AS
A MISSISSIPPI CHOCTAW.**

IN RE

Application for Enrollment of

INFANT CHILD

Charley Riley
as a citizen of

MISSISSIPPI CHOCTAW.

Nation.

Approved,

190

**FOR IDENTIFICATION AS
A MISSISSIPPI CHOCTAW.**

Commissioner.

The application herein is accepted by the Commission as evidence of the birth of this child, and not as an application for its enrollment as a citizen of the Choctaw Nation; and is to be filed with and made a part of the original application of its parents for identification as Mississippi Choctaws



Acting Chairman.

April, 6th, 1901.

Recd. April, 6, 1901

MISSISSIPPI CHOCTAW.

#118.

2014

For Identification as a Mississippi Choctaw.

Date

Name Young Billy

Age 66

Blood

Full

Post Office,

Tucker, Miss

Father:

Yanfer Billy (dead)
Chopotabbe

Mother:

Ah-be-ho-ke

"

Claims through both parents.

Wife Sallie Billy (full) 40 L

Father Tom

(dead)

Mother don't know "

(See Miss. Choctaw Field No 115.)

Testimony of 7/2/99

Children.

Marie Billy 11

Alam " 13

Betty " 6

Ina " 4

Charley " 2

(Claims for himself, his

Wife and 5 minor children)

Stenographer

H. Kisten

Choctaw MCR 2015

Jesse Porter

MCR 2015

FOR IDENTIFICATION AS
A MISSISSIPPI CHOCTAW

R. 2015

Jesse Porter, et al.,

IDENTIFIED

DECISION RENDERED AT

NOTICE OF DECISION

NOTICE OF
FOR CHOCTAW

FILE NO.

See " " " " " "

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

The within record is in the matter of the
application of Jesse Porter, et al., for identification as
Mississippi Choctaws,
M.C.R. 2015.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

In the matter of the application of Jesse Porter, et al.,
for identification as Mississippi Choctaws, M.C.R. 2015.

I N D E X

	Page
Original application of Jesse Porter, et al., to the Dawes Commission for identification as Mississippi Choctaws,	1
Decision of the Commission identifying Jesse Porter et al ., as Mississippi Choctaws	4

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Philadelphia, Mississippi, May 3, 1901.

In the matter of the application of Jesse Porter for the identification of himself, his wife and two minor children as Mississippi Choctaws.

Jesse Porter, having been first duly sworn, upon his oath testifies as follows, through Tom Tubbee, official interpreter:

Examination by the Commission:

- Q What is your name? A Jesse Porter.
Q What is your age? A Forty five.
Q What is your post office address? A Ennis, Kemper County/ Mississippi.
Q How long have you lived in Mississippi? A Ever since I been born.
Q Is your father living? A No, he dead.
✓ Q What is your father's name? A Jim Porter.
Q Did he have a Choctaw name? A Called him Hoyubbee.
Q Is your mother living? A No, been dead long time.
✓ Q What was your mother's name? A Choctaw name, Mon-te-mah.
Q Is that all the name she had? A I think so, that is all I heard.
✓ Q Were your father and mother both full bloods? A Yes.
✓ Q You claim to be a full blood? A Yes.
Q Did your father and mother always live here? A Yes.
Q Did all of your ancestors live here as far as you know? A I don't know about it.
Q Was either your father or mother ever recognized in any manner or enrolled as a member of the Choctaw tribe of Indians out in the Indian Territory by either the Choctaw tribal authorities or by the United States authorities? A I don't know.
Q Are you married? A Yes.
✓ Q Is your wife living? A Yes.
✓ Q What is her name? A Betsey.
Q Do you want to make application for her? A Yes.
✓ Q Is she a full blood Choctaw? A Yes.
Q What is her age? A About forty.
Q Has she always lived in Mississippi? A Yes.
Q Are you living with her now? A Yes.
Q When were you married to her? A About twenty seven years ago.
Q Did you get a license or were you married under the Choctaw custom? A Got a license from this Court house.
Q Got it from the clerk at Philadelphia, Mississippi? A Yes.
Q Who married you? A Catholic priest.
Q What was his name? A Father Becker.
Q Have you your license with you today? A No.
Q Is your wife's mother living? A No, daddy and mother both dead.
✓ Q What was your wife's father's name? A Ah-be-ta-tubbee.
✓ Q What was your wife's mother's name? A Just one name I heard--- called her Mary.
✓ Q Were your wife's parents both full blood Choctaws? A Yes.
Q Did they always live in Mississippi? A Yes.
Q Did all of your wife's ancestors so far as you know always live in Mississippi? A Yes.
Q Were either of your wife's parents ever recognized in any manner or enrolled as members of the Choctaw tribe of Indians in the Indian Territory either by the Choctaw tribal authorities or the United States authorities? A Don't know.
Q Have you any children in your family under twenty one years of age and not married? A Yes.

Jesse Porter----2.

- Q How many? A Two.
Q What are the names of these children? A Jenkins.
Q How old is Jenkins? A Sixteen years old.
Q Next one? A Thornton.
Q How old is Thornton? A Nine.
Q Is that all? A Yes.
✓ Q This application is for yourself, your wife and two children?
A Yes.
Q Are you the father of these two children? A Yes.
Q What is the name of their mother? A Betsey.
Q Is your name, the name of your wife or the name of either of these children to be found upon the Choctaw tribal rolls in the Indian Territory? A Don't know.
Q Did you ever make application for yourself, your wife or either of these children to the Choctaw tribal authorities in the Indian Territory to be enrolled as members of that tribe? A No.
Q Did you in 1896 make application to this Commission for citizenship for yourself, your wife or either of these children? A No.
Q Neither you, nor your wife nor your children have ever been admitted to citizenship in the Choctaw Nation by the Choctaw tribal authorities, by this Commission or by the United States Court? A No.
Q Have you ever before this time made application to the Choctaw tribal authorities out in the Indian Territory or to this Commission to be enrolled or admitted as citizens of the Choctaw Nation? A I applied to the Commission two years ago.
Q Is that the only application of any description you ever made?
A Yes.

The records of the Commission show that on January 30, 1899, this applicant appeared before the commission at Philadelphia, Mississippi and made application for the identification of himself, his wife, Betsey, and three children, Bettie, Jenkins and Thornton, as Mississippi Choctaws, their names appearing upon Mississippi Choctaw Card Field No. 152. The names of these parties also appear upon page 54 of the schedule of Mississippi Choctaws which accompanied the report of the Commission to the Five Civilized Tribes of March 10, 1899, to the Secretary of the Interior as to the identity of Choctaw Indians residing in Mississippi claiming rights in the Choctaw lands under the provisions of the fourteenth article of the treaty of Dancing Rabbit Creek, being Nos. 525, 526, 527, 528 and 529 respectively thereon.

- Q Have you a girl by name of Bettie? A Yes.
Q Is she married or single? A Yes, married.
Q Married since you were before the Commission two years ago? A Yes.
Q Is it now your purpose to make application for the identification of yourself, your wife and these two children as Mississippi Choctaws?
A Yes.
Q Do you claim your rights as beneficiaries under the provisions of the fourteenth article of the treaty of Dancing Rabbit Creek? A Yes.
Q Have you ever received any benefits as a Choctaw Indian? A No.
Q Did your wife ever get any benefits as a Choctaw Indian? A No.
Q Did any of your ancestors or any of your wife's ancestors ever receive any benefits as Choctaw Indians? A I don't know.
Q Were any of your wife's ancestors or any of your ancestors living here in the old Choctaw Nation in Mississippi and Alabama when the treaty of Dancing Rabbit Creek was made, in 1830? A I don't know.
Q Did any of your ancestors or any of your wife's ancestors move from the old Choctaw Nation in Mississippi and Alabama out west to the new Choctaw Nation in Indian Territory at the time of the removal of the greater portion of the Choctaw tribe of Indians in the years

Jesse Porter----3.

1833 to 1838? A Don't know.

Q Did any of your ancestors or any of your wife's ancestors within six months after the treaty of Dancing Rabbit Creek was ratified signify to the United States Indian Agent for the Choctaws here in Mississippi their intention to remain here in Mississippi and become citizens of the United States? A I don't know.

Q Did any of your ancestors or any of your wife's ancestors ever claim or receive any land in Mississippi as beneficiaries under the fourteenth article of the treaty of Dancing Rabbit Creek? A No.

Q Do you know the names of your grandparents? A Don't know.

Q Do you know the names of any of your wife's grandparents? A No.

Q Are there any additional statements you want to make in support of this application? A No.

Q Have you any documentary evidence, affidavits, written testimony of any description, copies of records, deeds or patents, or any other proper papers showing that your ancestors or your wife's ancestors were recognized members of the Choctaw tribe of Indians in 1830 when the treaty of Dancing Rabbit Creek was entered into, or that any of them complied or attempted to comply with the provisions of the fourteenth article of that treaty, or ever received any benefits under that article of that treaty? A No.

This applicant has every appearance and characteristic of a full blood Indian. He speaks the Choctaw language and broken English, the examination having been conducted in part through a sworn Choctaw interpreter.

The decision of the Commission as to the application made by you at this time for the identification of yourself, your wife and two minor children as Mississippi Choctaws will be determined at the earliest possible date and a report of the same made to the Secretary of the Interior conformable to the provisions of the twenty first section of the act of Congress of June 28, 1898, and a copy of the same will be mailed to you at your post office address as given in your testimony.

H.C. Risteen, having been first duly sworn, upon his oath states: That as stenographer to the Commission to the Five Civilized Tribes he reported in full all proceedings had in the above entitled cause on the 3rd day of May, 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes of said proceedings on said date.

H.C. Risteen

Subscribed and sworn to before me at Meridian, Mississippi, this 14th day of May, 1901.

[Signature]
Notary Public.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

Civil

In the matter of the application of Jesse Porter, et al., for identification as Mississippi Choctaws, M.C.R. 2015.

-----D E C I S I O N

It appears from the record herein that application for identification as Mississippi Choctaws was made to this Commission on May 3, 1901, by Jesse Porter for himself, his wife Betsey and his two minor children, Jenkins and Thornton Porter, under the following provision of the Act of Congress approved June 28, 1898, (30 Stats. 495):

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto and make report to the Secretary of the Interior."

From the evidence submitted in support of said application it appears that all the applicants are full blood Mississippi Choctaw Indians.


Section forty-one of the Act of Congress entitled "An Act

To ratify and confirm an agreement with the Choctaw and Chickasaw tribes of Indians, and for other purposes, approved July 1, 1902, (32 Stats. 441) and ratified by the Choctaw and Chickasaw Nations September 6, 1902, provides as follows:


"The application of no person for identification as a Mississippi Choctaw shall be received by said Commission after six months subsequent to the date of the final ratification of this agreement and in the disposition of such applications all full-blood Mississippi Choctaw Indians and the descendants of any Mississippi Choctaw Indians whether of full or mixed blood who received a patent to land under the said fourteenth article of the said treaty of eighteen hundred and thirty who had not moved to and made bona fide settlement in the Choctaw-Chickasaw country prior to June twenty-eighth, eighteen hundred and ninety-eight, shall be deemed to be Mississippi Choctaws entitled to benefits under article fourteen of the said treaty of September twenty-seventh, eighteen hundred and thirty, and to identification as such by said Commission, but this direction or provision shall be deemed to be only a rule of evidence and shall not be invoked by or operate to the advantage of any applicant who is not a Mississippi Choctaw of the full blood, or who is not the descendant of a Mississippi Choctaw who received a patent to land under said treaty, or who is otherwise barred from the right of citizenship in the Choctaw Nation, all of said Mississippi Choctaws so enrolled by said Commission shall be upon a separate roll."

It is therefore, the opinion of this Commission that Jesse Porter, Betsey Porter, Jenkins Porter and Thornton Porter should be identified as Mississippi Choctaws, and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES


Acting Chairman

Commissioner


Commissioner

Muskogee, Indian Territory


COMMISSIONER

APR 11 1903

Ardmore, I. T., February 12, 1903.

To the Commission to the Five Civilized Tribes:-

You will please deliver to J. G. Ralls, of Atoka, Indian Territory, any copies of the records in my case that, under the rule of law the Commission may give out to attorneys, as I have employed him to assist me in my case.

Witness:
H. T. H. H.

Emma Davis

^{his}
Jessie Porter
wife

Jessie Porter also applied for Betty Porter and her two children Jenkins and Thompson.

Ardmore, I. T. February 17, 1903.

To the Commission to the Five Civilized Tribes,

Muskogee, Indian Territory.

You will please deliver to J. G. Wells of Atoka, Indian Territory, my copies of the records in my case, that under the rule of law, the Commission may give out to Attorneys, as I have employed him to assist me in this case.

WITNESSES:

Anna T. [unclear]

his
Jessie X Porter
mark.

Jessie Porter also applied for
Becky Porter and her two children
Jenkin and Thornton.

COPY.

M.C.R. 2015.

Muskogee, Indian Territory, April 11, 1903.

Mansfield, McMurray & Cornish,

Attorneys for the Choctaw and Chickasaw Nations,
South McAlester, Indian Territory.

Gentlemen:

Enclosed herewith you will find a copy of the decision of the Commission rendered April 11, 1903, identifying Jesse Porter, his wife, Betsey Porter, and minor children, Jenkins Porter and Thornton Porter, as Mississippi Choctaw Indians under the provisions of the act of Congress approved July 1, 1902 (32 Stats., 641).

You are hereby advised that you will be allowed fifteen days from the date hereof, in which to file with this Commission such protest as you desire to make against the action of the Commission in identifying the said Jesse Porter, his wife and children as Mississippi Choctaws, and make satisfactory proof of service of said protest upon the applicants herein.

If you fail to file such protest within the time allowed, the names of the applicants herein will be placed upon the schedule of duly identified Mississippi Choctaws now being prepared by this Commission.

Respectfully,

Tamc Dixby.

Chairman.

Registered.

Enc. 2015.

COPY.

M.C.R. 2015

Muskogee, Indian Territory, April 27, 1903.

Jesse Porter,

Ardmore, Indian Territory.

Dear Sir:

Enclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered April 11, 1903, identifying yourself, your wife, Betsey Porter, and two minor children, Jenkins Porter and Thornton Porter, as Mississippi Choctaw Indians under the provisions of article 41 of the Act of Congress approved July 1, 1902, (32 Stats., 641).

If you remove to the Choctaw-Chickasaw country, Indian Territory, before October 11, 1903, you will have six months from that date, or until April 11, 1904, within which to make proof of such removal and settlement at the office of the Commission at Atoka, Choctaw Nation, or Tishomingo, Chickasaw Nation.

Respectfully,

SIGNED

Tame Bixby.

Chairman.

Registered.

Enc. 2015.

No

5015

For Identification as a Mississippi Choctaw.

Date

MAY 3 1901

Name

Jesse Porter

Age

45

Blood

full

Post Office,

Ennis, Miss.

Father:

Jim Porter (dead)

Mother:

Hon te-moh "

Claims through

both parents x

wife Betsey Porter (full) 40

Father Ah-b-ta-tubbe (dead)

mother Mary (dead)

Children.

Jenkins Porter

16

Thornton "

9

(Claims for himself
his wife and 2 minor
children)

See Miss. Cho. card No.
152. Testimony of 1/30/99)

Stenographer

H. C. Risteen

Choctaw MCR 2016

George Phillips

MCR 2016

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

The within record is in the matter of
the application of George Philip et al., for identification
as Mississippi Choctaws,
M.C.R. 2016.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

In the matter of the application of George Philip, et
al., for identification as Mississippi Choctaws, M.C.R. 2016.

I N D E X

	Page
Original application of George Philip to the Dawes Commission for identification as Mississippi Choctaws	1
Decision of the Commission identifying George Philip et al., as Mississippi Choctaws	4

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Philadelphia, Mississippi, May 3, 1901.

In the matter of the application of George Philip for the identification of himself, his wife and one minor child as Mississippi Choctaws.

George Philip, having been first duly sworn, upon his oath testifies as follows, through Tom Tabbee, official interpreter:

Examination by the Commission:

- Q What is your name? A George Philip.
Q What is your age? A Twenty three.
Q What is your post office address? A Ennis, Kemper County, Mississippi.
Q How long have you lived in Mississippi? A All my life.
✓ Q Is your father living? A Yes
✓ Q What is his name? A Williamson Philip.
✓ Q Is your father a full blood Choctaw? A Yes.
Q Does he live in Mississippi? A Yes.
Q Has he always lived here? A Yes
✓ Q Is your mother living? A Yes.
✓ Q What is her name? A Jinnie.
✓ Q Is she a full blood Choctaw? A Yes.
Q Has she always lived in Mississippi? A Yes.
Q Have all of your forefathers lived here as far as you know? A Yes
✓ Q You claim to be a full blood Choctaw? A Yes.
Q Have either of your parents ever been recognized in any manner or enrolled as members of the Choctaw tribe of Indians by the Choctaw tribal authorities or by the United States authorities? A Don't know.
Q Are you married? A Yes.
✓ Q Is your wife living? A Yes.
✓ Q What is her name? A Bettie.
Q Do you want to make application for Bettie? A Yes.
✓ Q Is she a full blood Choctaw? A Yes.
Q How old is she? A Eighteen years old.
Q Has she always lived in Mississippi? A Yes.
✓ Q Is her father living? A Yes.
✓ Q What is his name? A Jesse Porter.
✓ Q Is her father a full blood Choctaw? A Yes.
Q Does he live in Mississippi? A Yes.
Q Has he always lived in Mississippi? A Yes.
✓ Q Is her mother living? A Yes.
✓ Q What is her mother's name? A Betsy.
✓ Q Is she a full blood Choctaw? A Yes.
Q Has her mother always lived in Mississippi? A Yes.
Q Have all of your wife's ancestors always lived in Mississippi as far as you know? A Yes.
Q Were either your wife's mother or father ever recognized in any manner or enrolled as citizens of the Choctaw Nation by the Choctaw tribal authorities or by the United States authorities? A Don't know.
Q Have you any children? A Yes.
Q How many? A One
Q What is the child's name? A Sissy.
Q How old is Sissy? A Two months old.
Q When was she born? A 14th of March, 1901.
Q Is that all the children you have? A Yes.
Q You are the father of this child? A Yes.
Q What is the name of its mother? A Bettie.

George philip---2.

Q Were you married to Bettie under a license or according to the Choctaw custom? A Under license--at DeKalb.

Q You got a license at DeKalb? A Yes.

Q Who performed the marriage ceremony? A Injun preacher--Jim Johnson.

Q Have you your license with you here today? A No.

Q Is your name or your wife's name to be found upon any of the Choctaw tribal rolls in Indian Territory? A No.

Q Did you or your wife or any one for you ever make application to the Choctaw tribal authorities to have your names enrolled as members of that tribe? A Don't know.

Q Did you or your wife or any one for you in 1896 make application to the Commission to the Five Civilized Tribes for citizenship in the Choctaw Nation? A No.

Q Have either you or your wife ever been admitted to citizenship in the Choctaw Nation in Indian Territory by the Choctaw tribal authorities by the Commission to the Five Civilized Tribes or by the United States Court in Indian Territory? A No.

Q Has any application ever been made for you or for your wife before today to either the Choctaw tribal authorities or the United States authorities for your admission or enrollment as citizens of the Choctaw Nation? A Daddy gave it in two years ago.

Q Your wife's father gave her name in and your father gave your name in, is that right? A Yes.

The records of the Commission show that on January 31, 1899, at Philadelphia, Mississippi, the father of this applicant appeared before the Commission and made application for his identification as a Mississippi Choctaw, his name appearing upon Mississippi Choctaw Card, Field No. 185 and also upon page 59 of the schedule of Mississippi Choctaws which accompanied the report of March 10, 1899, of the Commission to the Five Civilized Tribes to the Secretary of the Interior, as to the identity of Choctaw Indians ~~claiming~~ residing in Mississippi claiming rights in the Choctaw lands under the provisions of the fourteenth article of the treaty of Dancing Rabbit Creek, being No. 641 thereon.

The records of the Commission also show that on January 30, 1899, at Philadelphia, Mississippi, Jesse Porter, the father of this applicant's wife, Bettie, appeared before the Commission and made application for her identification as a Mississippi Choctaw, her name appearing upon Mississippi Choctaw Card, Field No. 152, and also upon page 54 of the schedule of Mississippi Choctaws which accompanied the report of March 10, 1899 of the Commission to the Five Civilized Tribes to the Secretary of the Interior as to the identity of Choctaw Indians residing in Mississippi and claiming rights in the Choctaw lands under the provisions of the fourteenth article of the treaty of Dancing Rabbit Creek, being No. 537 thereon.

Q Do you now desire to make application for the identification of yourself, your wife and minor child as Mississippi Choctaws? A Yes.

Q Do you claim your rights as beneficiaries under the provisions of the fourteenth article of the treaty of Dancing Rabbit Creek? A Yes.

Q Have you ever received any benefits as a Choctaw Indian? A No.

Q Did your wife ever receive any? A No.

Q Did any of your forefathers or ancestors ever receive any benefits as Choctaws? A No.

George Philip---3.

Q Did any of your wife's ancestors ever receive any benefits as Choctaw Indians? A No.

Q Were any of your wife's ancestors or any of your ancestors living in the old Choctaw Nation in Mississippi and Alabama in 1830 when the treaty of Dancing Rabbit Creek was made? A Don't know.

Q Were any of your ancestors or any of your wife's ancestors at that time recognized members of the Choctaw tribe of Indians? A Don't know.

Q Did any of your ancestors or any of your wife's ancestors remove from the old Choctaw Nation in Mississippi and Alabama to the present Choctaw nation in the Indian Territory at the time of the removal of a larger portion of the Choctaw Indians in the years 1833 to 1838 A Don't know.

Q Did any of your ancestors or any of your wife's ancestors within six months after the treaty of Dancing Rabbit Creek was ratified signify to the United States Indian Agent their intention to remain in Mississippi and become citizens of the states? A Don't know.

Q Did any of your ancestors or any of your wife's ancestors ever ~~xx~~ claim or receive any land in Mississippi under the provisions of the fourteenth article of the treaty of Dancing Rabbit Creek? A Don't know.

Q Did you ever hear of any of them getting any land? A No.

Q Are there any additional statements you want to make at this time in support of this application? A No.

Q Have you any documentary evidence, affidavits, written testimony of any description, copies of records, deeds or patents, or any proper papers showing that your ancestors or your wife's ancestors were recognized members of the Choctaw tribe of Indians in 1830 when the treaty of Dancing Rabbit Creek was made, or that any of them complied or attempted to comply with the provisions of the fourteenth article of the treaty of 1830 or ever received any benefits under that article of that treaty? A No.

Q Do you know the names of any of your grandparents? A No.

Q Do you know the names of any of your wife's grandparents? A No.

This applicant has every appearance and characteristic of a full blood Indian. He speaks the Choctaw language and very little English, the examination having been conducted mainly through a sworn Choctaw interpreter.

The decision of the Commission as to the application made by you at this time for the identification of yourself, your wife and one minor child as Mississippi Choctaws will be determined at the earliest possible date and a report of the same made to the Secretary of the Interior conformable to the provisions of the twenty first section of the act of Congress of June 28, 1898, and a copy of the same will be mailed to you at your post office address as given in your testimony.

H.C. Risteen, having been first duly sworn, upon his oath states: That as stenographer to the Commission to the Five Civilized Tribes he reported in full all proceedings had in the above entitled cause on the 3rd day of May, 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes of said proceedings on said date.

H.C. Risteen

Subscribed and sworn to before me at Meridian, Mississippi, this 14th day of May, 1901.

;

[Signature]
Notary Public.

Q. 11

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

In the matter of the application of George Philip, et al.
for identification as Mississippi Choctaws, H.C.B. 2016.

-----D E C I S I O N -----

It appears from the record herein that application for identification as Mississippi Choctaws was made to this Commission on May 3, 1901, by George Philip for himself, his wife, Bettie, and his minor child, Sissy Philip, under the following provision of the Act of Congress approved June 28, 1898(30 Stats. 495):

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto and make report to the Secretary of the Interior."

From the evidence submitted in support of said application it appears that all the applicants are full blood Mississippi Choctaw Indians.


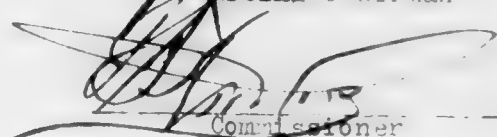
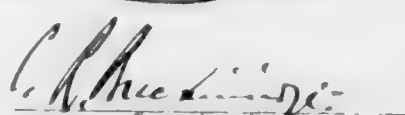
Section forty-one of the Act of Congress entitled "An Act to ratify and confirm an agreement with the Choctaw and Chickasaw

tribes of Indians, and for other purposes", approved July 1, 1902, (32 Stats. 41) and ratified by the Choctaw and Chickasaw Nations September 25, 1902, provides as follows:

"The application of no person for identification as a Mississippi Choctaw shall be received by said Commission after six months subsequent to the date of the final ratification of this agreement and in the disposition of such applications all full-blood Mississippi Choctaw Indians and the descendants of any Mississippi Choctaw Indians whether of full or mixed blood who received a patent to land under the said fourteenth article of the said treaty of eighteen hundred and thirty who had not moved to and made bona fide settlement in the Choctaw-Chickasaw country prior to June twenty-eighth, eighteen hundred and ninety-eight, shall be deemed to be Mississippi Choctaws entitled to benefits under article fourteen of the said treaty of September twenty-seventh, eighteen hundred and thirty, and to identification as such by said Commission, but this direction or provision shall be deemed to be only a rule of evidence and shall not be invoked by or operate to the advantage of any applicant who is not a Mississippi Choctaw of the full blood, or who is not the descendant of a Mississippi Choctaw who received a patent to land under said treaty, or who is otherwise barred from the right of citizenship in the Choctaw Nation, all of said Mississippi Choctaws so enrolled by said Commission shall be upon a separate roll."

It is, therefore, the opinion of this Commission that George Philip, Bettie Philip and Sissy Philip should be identified as Mississippi Choctaws, and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES


Acting Chairman

Commissioner

Commissioner

Muskogee, Indian Territory

APR 27 1903

Miss. Choc.

20

FOR IDENTIFICATION AS
A MISSISSIPPI CHOCTAW.
Applicant's parent of
INFANT CHILD

Lissie Phillips

as a citizen of
MISSISSIPPI CHOCTAW.

Choctaw

Nation.

FOR IDENTIFICATION AS
A MISSISSIPPI CHOCTAW.
Approved _____ 190

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED

MAY 18 1901

The application herein is
accepted by the Commission as
evidence of the birth of this
child, and not as an application
for its ENROLLMENT as a citizen
of the Choctaw Nation; and is to
be filed with and made a part
of the original application of
its parents for identification as
Mississippi Choctaws.

MISSISSIPPI CHOCTAW. 116 Acting Chairman.

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE MORE CIVILIZED TRIBES.
FOR IDENTIFICATION AS
A MISSISSIPPI CHOCTAW.

IN RE Application for Enrollment as a citizen of the Choctaw Nation,
of Sissie Phillips, born on the 14th day of March, 1901
(Here insert name of child)
Name of Father: George Phillips, a citizen of the Choctaw Nation.
Name of Mother: Bettie Phillips, a citizen of the Choctaw Nation.
Post-office, Cummins, Miss.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
INDIAN TERRITORY.

District.

I, Bettie Phillips, on oath state that I am 18
years of age and a citizen, by Birth, of the Choctaw Nation;
that I am the lawful wife of George Phillips, who is a citizen, by
Birth, of the Choctaw Nation, that a Female child was
(male or female)
born to me on the 14th day of March, 1901; that said child has been
named Sissie Phillips, and is now living.

WITNESSES TO MARK

(Must be Two
Witnesses)

Bettie Phillips her mark
Bettie Phillips her mark
Subscribed and sworn to before me this 17th day of May, 1901.

NOTARY PUBLIC.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY.

District.

I, Bettie Phillips, a Midwife, on oath state that I
attended on Mrs. Bettie Phillips, wife of George Phillips,
on the 14th day of March, 1901; that there was born to her on
said date a Female child; that said child is now living and is said to have been
(male or female)
named Sissie Phillips.

WITNESSES TO MARK:

(Must be Two
Witnesses)

Sallie Phillips
Maclay Phillips
Subscribed and sworn to before me this 17th day of May, 1901.

NOTARY PUBLIC.

Ardmore, I. T. February 17, 1903.

To the Commission to the Five Civilized Tribes,
Muskogee, Indian Territory.

You will please deliver to J. G. Ralls of Atoka, Indian Territory, any copies of the records in my case, that under the rule of law you may deliver to Attorneys, as I have employed him to assist me in this case.

WITNESSES TO SIGN:

Am. Cash

his
George Philips
mark

also applied for his wife Betta
and two children Cicie & Sid

Muskogee, Indian Territory, April 3, 1903.

J. G. Ralls,
Attorney at Law,
Atoka, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 21st ultimo, enclosing the affidavit of the mother, Bettie Philipps, and that of the midwife, Betsey Porter, relative to the birth of Ceit Philipps, infant child of Geo. and Bettie Philipps, February 1, 1903, and the same have been filed with the records of the Commission.

~~the~~ the affidavit of the mother, Bettie Philipps, and that of the midwife, Betsey Porter, relative to the birth of Seece Philipps, infant child of Geo. and Bettie Philipps, May 14, 1901, and the same are herewith returned you for the reason that it appears from the records of the Commission that on May 3, 1901, George Philip submitted his application for the identification of himself, his wife Bettie, and their minor child Sissy Philip, whom he testified was two months old at the time he made application. It is believed that the Seece Philipps named in the affidavits and the Sissy Philip named in the application of George Philip are one and the same person.

Respectfully,

Muskogee, Indian Territory, April 27, 1903.

Mansfield, McMurray & Cornish,
Attorneys for the Choctaw and Chickasaw Nations,
South McAlester, Indian Territory.

Gentlemen:

Enclosed herewith you will find a copy of the decision of the Commission rendered April 27, 1903, identifying George Philip, his wife Bettie Philip, and his minor child Sissy Philip, as Mississippi Choctaw Indians under the provisions of the forty-first section of the act of Congress approved July 1, 1902 (32 Stats. 641).

You are hereby advised that you will be allowed fifteen days from the date hereof in which to file with this Commission such protest as you desire to make against the action of the Commission in identifying the said George Philip, his wife and child as Mississippi Choctaws, and make satisfactory proof of service of said protest upon the applicants herein.

If you fail to file such protest within the time allowed the names of the applicants herein will be placed upon the schedule of duly identified Mississippi Choctaws now being prepared by this Commission.

Respectfully, *Wm. D. Dwyer*

Wm. D. Dwyer

Chairman.

Registered.
Enclosure. 2016.

H.C.R. 2016

COPY.

Washington, Indian Territory, May 6, 1904.

George Philip,

Arden, Indian Territory.

Dear Sir:

Enclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered April 27, 1903, relating yourself, your wife, Bessie Philip, and your minor child, Stella Philip as Mississippi Choctaw Indians under the provisions of Section 41 of the Act of Congress approved July 1, 1902, (32 Stat., 641).

If you remove to the Choctaw-Chickasaw country, Indian Territory, before October 27, 1903, you will have six months from that date, or until April 27, 1904, within which to make proof of such removal and settlement at the office of the Commission at Atoka, Choctaw Nation, or Tahlequah, Chickasaw Nation.

Respectfully,

(SIGNED)

Tame Bixby.
Chairman.

Registered.

H.C. 2016

M.C.R. 2016

COPY

Muskogee, Indian Territory, April 27, 1903.

Mansfield, McMurray & Cornish,
Attorneys for the Choctaw and Chickasaw Nations,
South McAlester, Indian Territory.

Gentlemen:

Enclosed herewith you will find a copy of the decision of the Commission rendered April 27, 1903, identifying George Philip, his wife Bettie Philip, and his minor child Sissy Philip, as Mississippi Choctaw Indians under the provisions of the forty-first section of the act of Congress approved July 1, 1902 (32 Stats. 641).

You are hereby advised that you will be allowed fifteen days from the date hereof in which to file with this Commission such protest as you desire to make against the action of the Commission in identifying the said George Philip, his wife and child as Mississippi Choctaws, and make satisfactory proof of service of said protest upon the applicants herein.

If you fail to file such protest within the time allowed the names of the applicants herein will be placed upon the schedule of duly identified Mississippi Choctaws now being prepared by this Commission.

Respectfully,

Tamo Dixby.

Chairman.

Registered.
Enclosure. 2016.

M C R 2016

Muskogee, Indian Territory, September 11, 1903.

Geo. Phillip,

Ardmore, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 4th instant, wherein you ask "Is my son Sidney John Phillip Identified yet?" You state "I have been and have made application for my land and would like to get land for my little child."

In reply you are informed that it does not appear from our records that any application has ever been made to this Commission for the identification of any person by the name of Sidney John Phillip. It does appear, however, that on March 21, 1903, J. G. Ralls, attorney at law, Atoka, Indian Territory, forwarded to this office the affidavit of the mother, Bettie Philipps, and that of the midwife, Betsey Porter, relative to the birth of Ceit Philipps, infant child of Geo. and Bettie Philipps, February 1, 1903. No action has been taken on this application up to the present time.

If the ~~bit~~ Philipps herein mentioned is identical with the Sidney John Phillip concerning whom you now make inquiry, you

G P 2

are requested to inform the Commission of this fact.

Respectfully,

Chairman.

For Identification as a Mississippi Choctaw.

Date MAY 3 1901

Name George Philip

Age 23 Blood full

Post Office, Emmis, Miss.

Father: Williamson Philip L.

Mother: Jinnie " L.

Claims through both parents.

Wife Bettie Philip (full) 18

Father Jesse Porter L.

Mother Betsey " L.

Children.

Sissy Philip 2 mo.

(Claims for himself, his wife
and one minor child.)

As to George Phillip see Miss

Chas. Card field No 185. Testimony

of 1/31/99. As to Bettie Philip see Miss

Chas. Card Field No 152. Testimony

of 1/30/99)
Scribner

H. C. Ruten

George Phillips, & al.

Choctaw MCR 2017

Winnie Solomon

MCR 2017

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

The within record is in the matter of
the application of Winnie Solomon for identification as a
Mississippi Choctaw,
M.C.R. 2017

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

In the matter of the application of Winnie Solomon for
identification as a Mississippi Choctaw, M.C.R. 2017

I N D E X

	Page
Original application of Winnie Solomon to the Dawes Commission for identification as a Mississippi Choctaw	1
Original patent issued under article fourteen of the treaty of "Dancing Rabbit Creek" to Low-ah-ho-ka on March 13, 1846	4
Decision of the Commission identifying Winnie Solomon as a Mississippi Choctaw	5

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Philadelphia, Mississippi, May 3, 1901.

In the matter of the application of Winnie Solomon for identification as a Mississippi Choctaw.

Winnie Solomon, having been first duly sworn, upon her oath testifies as follows, through Tom Tubbee, official interpreter.

Examination by the Commission.

- Q What is your name? A Winnie Solomon.
Q What is your age? A Sixty eight.
Q What is your post office address? A Engine, Mississippi.
Q How long have you lived in Mississippi? A All my life.
Q Is your father living? A No dead.
Q What was your father's name? A Solomon.
Q No other name? A Te-he-cubbee.
Q Is your mother living? A Dead.
Q What is your mother's name? A Lowah-hoka.
Q Were your father and mother both full blood Choctaws? A Yes.
Q Did they always live in Mississippi? A Yes.
Q Have all of your ancestors always lived in Mississippi so far as you know? A Yes.
Q You claim to be a full blood Choctaw? A Yes.
Q Were either of your parents ever recognized in any manner or enrolled by the Choctaw tribal authorities or by the United States authorities as members of the Choctaw tribe out in Indian Territory? A Don't know.
Q Are you married? A Long time ago---husband dead.
Q Have you any children under twenty one years of age? A No.
Q This application is just for yourself? A Yes.
Q Is your name on any of the Choctaw tribal rolls out in Indian Territory? A Don't know.
Q Did you ever make application to the Choctaw tribal authorities in Indian Territory to be enrolled as a member of that tribe? A No.
Q Did you make application to this Commission in 1896 for citizenship in the Choctaw Nation? A No.
Q You never have been admitted to citizenship in the Choctaw Nation either by the Choctaw tribal authorities, by this Commission or by the United States Court? A No.
Q Have you ever made any other application before today to either the Choctaw tribal authorities or to this Commission to be enrolled or admitted as a citizen of the Choctaw Nation? A McKennon, two years ago.
Q Is that the only other application? A Yes.

The records of the Commission show that on January 31, 1899, this applicant appeared before the Commission to the Five Civilized Tribes at Philadelphia, Mississippi, and made application for identification as Mississippi Choctaw, her name appearing upon Mississippi Choctaw Card, Field No. 187, also upon page 59 of the schedule of Mississippi Choctaws which accompanied the report of ~~the~~ March 10, 1899, of the Commission to the Five Civilized Tribes to the Secretary of the Interior as to the identity of Choctaw Indians residing in Mississippi claiming rights in the Choctaw lands under the provisions of the fourteenth article of the treaty of Dancing Rabbit Creek, being No. 648 thereon.

- Q Do you want to make application at this time for identification as a Mississippi Choctaw? A Yes.

Winnie Solomon----2.

- Q Do you claim your rights as a beneficiary under the provisions of the fourteenth article of the treaty of Dancing Rabbit Creek? A Yes
- Q Have you ever received any benefits as a Choctaw Indian? A I didn't but my mother did. She got land.
- Q When did your mother get that land? A Don't know.

Applicant here offers patent dated March 30, 1846, signed by James K. Polk, president of the United States, in favor of Low-ah-hoka, covering the east half of Sec. 18, (containing 319.79 acres), in Township 8, North of Range 13 East of the Choctaw Meridian, in the district of lands subject to sale at Columbus, Mississippi. It appears from said patent that it was issued under the fourteenth article of the treaty concluded at Dancing Rabbit Creek on the 27th day of September, 1830, by the Commissioners on the part of the United States and the Chiefs, Captains and Headmen of the Choctaw Nation on the part of said Nation. Said patent is here identified as Exhibit A, filed and made a part of the record in this case.

- Q From whom did you procure this paper? A Mammy died and I got it.
- Q Who owns this tract of land described in this patent now? A My sister.
- Q Your mother lived there as long as she lived and then it descended to your sister? A Yes.

On page 553 of Vol 1. of the proceedings of the Court of Claims in the case of the Choctaw Nation of Indians vs. the United States, No. 12742, in Abstract No. 1 of the report of Commissioners Tyler, Gaines and Rush, appointed under the provisions of the act of Congress approved August 23, 1842, entitled "An Act to provide for the satisfaction of claims arising under the fourteenth and nineteenth articles of the treaty of Dancing Rabbit Creek, Etc.", appears the name of Low-ah-hoka, being a child over ten years of age and the step child of Isteubbee. It appears that Low-ah-hoka was awarded the east half of Sec. 18, Twp. 8, North of Range 13 east, notation opposite said case, No. 384, being as follows: "Attempt at signification of intention to remain and continued residence for five years after a date of treaty proved by Jefferson. Comrs allow the claim and award land."

- Q Are there any additional statements you desire to make at this time in support of your application? A No.
- Q Have you any further documentary evidence, affidavits, written testimony of any description, copies of records, deeds or papers or any proper papers showing that your ancestors were recognized members of the Choctaw tribe of Indians in 1830 when the treaty of Dancing Rabbit Creek was made, or, that any of them complied or attempted to comply with the fourteenth article of that treaty, or ever received any benefits thereunder? A No.
- Q Do you know the names of your grandparents? A My father's mother was Im-is-sah-oki.
- Q Do you know the name of your mother's father? A Don't know.
- Q Do you know the name of your mother's mother? A Don't know.

This applicant has every appearance of a full blood Choctaw Indian.

The decision of the Commission as to the application made by you at this time for identification as a Mississippi Choctaw will be determined at the earliest possible date and a report of the same made to the Secretary of the Interior conformable to the provisions of the twenty-first section of the act of

Winnie Solomon---3.

Congress of June 25, 1898, and a copy of the same will be mailed to you at your post office address as given in your testimony.

H.C.Risteen, having been first duly sworn, upon his oath states: That as stenographer to the Commission to the Five Civilized Tribes he reported in full all proceedings had in the above entitled cause on the 3rd day of May, 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes of said proceedings on said date.

H.C. Risteen

Subscribed and sworn to before me at Meridian, Mississippi, this 15th day of May, 1901.

[Signature]

Notary Public.

Cow

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

In the matter of the application of Winnie Solomon for
identification as a Mississippi Choctaw, M.C.R. 2017.

--- D E C I S I O N -----

It appears from the record herein that application for
identification as a Mississippi Choctaw was made to this Commission
on May 3, 1901, by Winnie Solomon for herself, under the following
provision of the Act of Congress approved June 28, 1898 (30 Stats.
495):

"Said Commission shall have authority to determine the
identity of Choctaw Indians claiming rights in the Choctaw
lands under article fourteen of the treaty between the United
States and the Choctaw Nation, concluded September twenty-
seventh, eighteen hundred and thirty, and to that end may
administer oaths, examine witnesses and perform all other acts
necessary thereto and make report to the Secretary of the
Interior."

From the evidence submitted in support of said application
it appears that the applicant is a full blood Mississippi Choctaw
Indian.

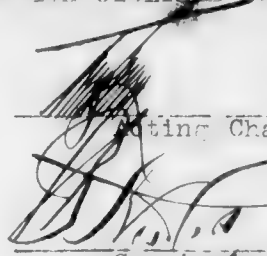
Section forty-one of the Act of Congress entitled "An Act
To ratify and confirm an agreement with the Choctaw and Chickasaw
tribes of Indians, and for other purposes" approved July 1, 1902,

(32 Stats. 641) and ratified by the Choctaw and Chickasaw Nations September 25, 1902, provides as follows:

"The application of no person for identification as a Mississippi Choctaw shall be received by said Commission after six months subsequent to the date of the final ratification of this agreement and in the disposition of such applications all full-blood Mississippi Choctaw Indians and the descendants of any Mississippi Choctaw Indians whether of full or mixed blood who received a patent to land under the said fourteenth article of the said treaty of eighteen hundred and thirty who had not moved to and made bona fide settlement in the Choctaw-Chickasaw country prior to June twenty-eighth, eighteen hundred and ninety-eight, shall be deemed to be Mississippi Choctaws, entitled to benefits under article fourteen of the said treaty of September twenty-seventh, eighteen hundred and thirty, and to identification as such by said Commission, but this direction or provision shall be deemed to be only a rule of evidence and shall not be invoked by or operate to the advantage of any applicant who is not a Mississippi Choctaw of the full blood, or who is not the descendant of a Mississippi Choctaw who received a patent to land under said treaty, or who is otherwise barred from the right of citizenship in the Choctaw Nation, all of said Mississippi Choctaws so enrolled by said Commission shall be upon a separate roll."

It is, therefore, the opinion of this Commission that Winnie Solomon should be identified as a Mississippi Choctaw, and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES


Acting Chairman
Commissioner


Commissioner

Muskogee, Indian Territory

FEB 14 1903

COPY

M.C.R. 2017

Muskogee, Indian Territory, February 21, 1903.

Mansfield, McMurray & Cornish,

Attorneys for the Choctaw and Chickasaw Nations,
South McAlester, Indian Territory.

Gentlemen:

Enclosed herewith you will find a copy of the decision of the Commission rendered February 14, 1903, identifying Winnie Solomon, as a Mississippi Choctaw Indian under the provisions of the forty-first section of the act of Congress approved July 1, 1902, (32 Stats., 641).

You are hereby advised that you will be allowed fifteen days from the date hereof, in which to file with this Commission such protest as you desire to make against the action of the Commission in identifying the said Winnie Solomon as a Mississippi Choctaw, and make satisfactory proof of service of said protest upon the applicant herein.

If you fail to file such protest within the time allowed, the name of the applicant herein will be placed upon the schedule of duly identified Mississippi Choctaws now being prepared by this Commission.

Respectfully,

Registered.

Enc. M.C.R. 2017

cc B. B. B.
Chairman.

M.C.R. 2017.

Muskogee, Indian Territory, March 11, 1903.

Winnie Solomon,

Engine, Mississippi.

Dear Madam:

Enclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered February 14, 1903, identifying you as a Mississippi Choctaw Indian under the provisions of Section 41 of the Act of Congress approved July 1, 1902, (32 Stats., 641).

If you remove to the Choctaw-Chickasaw country, Indian Territory, before August 14, 1903, you will have six months from that date, or until February 14, 1904, within which to make proof of such removal and settlement at the office of the Commission at Atoka, Choctaw Nation, or Tishomingo, Chickasaw Nation.

Respectfully,

Tammie D.

Chairman.

Registered.

Enc. 2017.

"Enigma"
App'd. [unclear]
[unclear]

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED

MAY 13 1901

[Signature]
ACTING COMMISSIONER

THE UNITED STATES OF AMERICA,

To all to whom these Presents shall come, Greeting:

WHEREAS, under the *fourteenth article of* the Treaty, concluded at Dancing Rabbit Creek, on the twenty-seventh day of September, in the year of our Lord one thousand eight hundred and thirty, by the Commissioners on the part of the United States, and the Chiefs, Captains, and Head Men of the Choctaw Nation, on the part of said Nation, *one section of the* _____ became entitled, out of the lands ceded to the United States by the said Treaty, to *a half section* _____ of land;

And whereas, the said petitioners are entitled to Pension, by Act of Congress, passed June 22^d 1845, by the Congress of the United States;

was sold over ten years of age at sale of body of the following described tract,
viz: the East half of Section eighteen containing Three hundred and nineteen
acres, and seven by nine hundredths of an acre, in township eight, north of Range
thirteen East of the Chicago Meridian in the District of lands subject to sale at
minimum price, Missing."

NOW KNOW YE, That the UNITED STATES OF AMERICA, in consideration of the premises, and in conformity with the provisions of the said Treaty, HAVE GIVEN AND GRANTED, and by these presents DO GIVE AND GRANT, unto the said *Spain and her heirs, and to the heirs of the same* —

and to ~~his~~ heirs, the said tract of land above described: TO HAVE AND TO HOLD the same, together with all the rights, privileges, immunities, and appurtenances of whatsoever nature thereunto belonging, unto the said ~~heirs~~ and to ~~his~~ heirs and assigns for ever, ~~in full and sole possession and use of the said heirs and assigns~~

IN TESTIMONY WHEREOF, I, *James H. Bell* PRESIDENT
OF THE UNITED STATES OF AMERICA, have caused these Letters to be made PATENT, and the SEAL of the
GENERAL LAND OFFICE to be hereunto affixed.

GIVEN under my hand, at the CITY OF WASHINGTON, the 14th day of June in the year of our Lord one thousand eight hundred and

Nation, _____ of land;

States by the said Treaty, to a half Section _____

And whereas, it appears from a return, reported November 22nd 1845, by the Commissioner

Indian affairs to the General Land Office that the Commissioners under

the Act of Congress approved 23rd August 1842, entitled "An Act to provide for

the satisfaction of claims arising under the fourteenth and nineteenth Articles

of the Treaty of Dancing Rabbit Creek, concluded in September one thousand

eight hundred and thirty," have made an award which was, recorded on

the 13th July 1845 by the Secretary of War in favor of the said *Souah-ho-ha*, a

child over ten years of age a sole of treaty of the following described tract,

viz: the East half of Section eighteen containing Three hundred and nineteen

acres, and seventy nine hundredths of an acre, in Township eight, North of Range

thirteen East of the Choctaw Meridian in the District of lands subject to sale at

_____ in Mississippi _____

NOW KNOW YE, That the UNITED STATES OF AMERICA, in consideration of the premises, and in conformity with the provisions of the said Treaty, **HAVE GIVEN AND GRANTED,** and by these presents **DO GIVE AND GRANT,** unto the said *Souah-ho-ha*, and to the heirs of the same _____

~~and to~~ ~~heirs~~ the said tract of land above described: **TO HAVE AND TO HOLD** the same, together with all the rights, privileges, immunities, and appurtenances of whatsoever nature thereunto belonging, unto the said _____

and to the heirs and assigns for ever, of the said *Souah-ho-ha* _____

IN TESTIMONY WHEREOF, I, *James K. Polk* **PRESIDENT** OF THE UNITED STATES OF AMERICA, have caused these Letters to be made PATENT, and the SEAL of the GENERAL LAND OFFICE to be hereunto affixed.

GIVEN under my hand, at the CITY OF WASHINGTON, the *thirtieth* day of *March* _____ in the year of our Lord one thousand eight hundred and *forty six* and of the INDEPENDENCE OF THE UNITED STATES the ~~sixty~~ *seventieth*.

BY THE PRESIDENT:

By

James K. Polk
John W. Walker

Sec'y.

Recorded Vol. 1 Page 107

A. H. Laughlin, Recorder of the General Land Office.

For Identification as a Mississippi Choctaw.

Date MAY 3 1901

Name *Nimmie Solomon*

Age *68* Blood *full*

Post Office, *Engine, Miss*

Father: *Solomon (dead)*
Ti-hi-cubbee

Mother: *Low-ah-ho-ka* "

Claims through *both parents*

(Claims for herself only)

See Miss Choc. card No 187

Testimony: Jan 31, 1899.)

Children:

Stenographer

H.C. Rietten

Winnie Solomon.

207

DECISION

COPY

FORWARDED

TO

APPLICANT

**COPY OF DECISION FORWARDED
APPLICANT**

MAR 11 1903

Choctaw MCR 2018

Seborn Smith

MCR 2018

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

The within record is in the matter of
the application of Seborn Smith, et al., for identification as
Mississippi Choctaws,
M.C.R. 2018

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

In the matter of the application of Seborn Smith, et al.,
for identification as Mississippi Choctaws, M.C.R. 2018

I N D E X

	Page
Original application of Seborn Smith, et al., to the Dawes Commission for identification as Mississippi Choctaws	1
Decision of the Commission identifying Seborn Smith, et al., as Mississippi Choctaws	5

Department of the Interior.
Commission to the Five Civilized Tribes,
Philadelphia, Mississippi, May 3, 1901.

In the matter of the application of Seborn Smith for the identification of himself, his wife and ne minor orphan, as Mississippi Choctaws.

Seborn Smith having been first duly sworn upon his oath testified as follows:

Examination by the Commission.

- Q What is your name? A Seborn Smith.
- Q What is your age? A 38.
- Q What is your post office address? A Engine, Mississippi.
- Q How long have you lived there? A All my life.
- Q What is your father's name? A John Smith.
- Q Full blood? A Yes sir.
- Q Living? A Yes sir.
- Q What is your mother's name? A Esh-te--mel-lie-hoky.
- Q Is she living? A No sir.
- Q Was she a full blood? A Yes sir.
- Q Are you a full blood? A Yes sir.
- Q You claim through both father and mother? A Yes.
- Q Have your parents, through whom you claim your right to be identified as a Mississippi Choctaw, ever been recognized in any manner or enrolled as members of the Choctaw tribe of Indians by the Choctaw tribal authorities or by the authorities of the United States? A I don't know.
- Q Are you married? A Yes sir.
- Q What is your wife's name? A Emma.
- Q Full blood? A Yes sir.
- Q How old is she? A Forty.
- Q You claim for her? A Yes sir.
- Q When were you married to her? A About 13 years.
- Q Married according to the Choctaw custom? A No sir, I married her by license.
- Q You got the license from the District Clerk down here? A No sir, down in Jasper County.
- Q What is your wife's father's name? A A-tok-lumbe.
- Q What is your wife's mother's name? A Now-a-hokey.
- Q Full blood? A Yes sir.
- Q Both dead? A Yes sir.
- Q Your wife gets her Choctaw blood through both her parents? A Yes sir.
- Q Have your wife's parents, through whom you claim for her the right of identification as a Mississippi Choctaw, ever been recognized in any manner or enrolled as a member of the Choctaw tribe of Indians by the Choctaw tribal authorities or by the authorities of the United States? A No sir.
- Q Have you any children under 21 years of age and unmarried for whom you want to make application? A I have got an orphan boy going on 12 years old that is living with me.
- Q What is his name? A Dan Amos.
- Q How old is Dan? A 12 years old.
- Q What kin is Dan to you? A He is my nephew.
- Q He lives with you and you support him? A Yes sir.
- Q You make application for him? A Yes sir.
- Q As his uncle? A Yes sir.
- Q What is his father's name? A Sexton Amos.
- Q Is Sexton Amos a full blood? A Yes.

Seborn Smith, et al., #2.

- Q Dead? A Yes sir.
- Q What is the mother's name? A Mary.
- Q Full blood? A Yes.
- Q Dead? A Yes.
- Q Amos is a full blood? A Yes.
- Q He claims through both his parents? A Yes.
- Q Is your name on any of the tribal rolls of the Choctaw Nation in Indian Territory, either your name, or your wife's name or Dan Amos' name? A No sir.
- Q Have you, or your wife, or this boy, or anyone for him, ever made application to the Choctaw tribal authorities to be enrolled as members of the Choctaw tribe? A No sir.
- Q Did you, or anyone for you, in the year 1896, or did anyone for your wife or this boy, Dan Amos, make application to the Commission to the Five Civilized Tribes for citizenship in the Choctaw Nation, under the Act of Congress of June 10, 1896? A No sir.
- Q Have you ever been admitted, or your wife or this boy, to citizenship in the Choctaw Nation by either the Choctaw tribal authorities the Commission to the Five Civilized Tribes, or by the United States Court in Indian Territory? A No.
- Q Have you ever made application for yourself, for your wife and this boy before this time to either the Choctaw tribal authorities or to the authorities of the United States to be admitted or enrolled as citizens of the Choctaw Nation? A I made application two years ago.

The records of the Commission show that on January 31, 1899, Seborn Smith appeared before the Commission at Philadelphia Mississippi and made application for the identification of himself, his wife, Emma Smith, as Mississippi Choctaws; their names appearing upon Mississippi Choctaw Card, Field Number 177; ~~also their~~ His testimony at that time was as follows: "I am 36 years old and a full blood Choctaw; my wife is a full blood named Emma, 38 years old. We have no children." The names of these persons also appear upon page 57 of the Schedule of Mississippi Choctaws, which accompanied the report of March 10, 1899, of the Commission to the Five Civilized Tribes to the Secretary of the Interior as to the identify of Choctaw Indians, residing in Mississippi claiming rights in the Choctaw lands under the provisions of the Fourteenth Article of the Treaty of 1830, being numbers 607 and 608, respectively, thereon.

- Q It is now your purpose to make application for the identification of yourself, your wife and this minor child, Dan Amos? as Mississippi Choctaws? A Yes sir.
- Q Do you claim your rights under article fourteen of the Treaty of 1830? A Yes sir.
- Q Have you ever received any benefits as a Choctaw Indian? A No sir.
- Q Have any of your ancestors ever received any benefits as Choctaw Indians? A I understand that my father and my father's mother did.
- Q What is your father's Choctaw Nation? A Ah-no-sa-cubbee.
- Q What was the name of your father's mother? A I don't know.
- Q Did your father have a brother? A Well, he has brother; he lives in the Nation.
- Q What was his name? A Robert Benton.
- Q Did he have a Choctaw name? A Yes, I forget it now.
- Q Did he have another brother? A Yes, he dead.
- Q What was his name? A I done forgot it -- Bob.

Seborn Smith, et al., #3.

- Q Did Bob have a Choctaw name? A I done forgot it.
Q How much land did your father's mother have? A I don't know how much.
Q How much did your father get? A I don't know how much he got.
Q What was your father's mother's name? A Bo-le-he-na.
Q Did you ever hear the name of Ish-tem-po-tubbee? A Yes.
Q Who was he; was that Bob's Choctaw name? A Yes, that's it.
Q

It appears from the testimony of this applicant that he is the direct descendant of Bo-le-hena, a full blood Choctaw woman, who received land from the Government under the provisions of the Fourteenth Article of the Treaty of Dancing Rabbit Creek, her name appearing in case 370, in Abstract Number One of the report of Commissioners Tyler, Wains and Rush of claimants to reservations of land in Mississippi under the provisions of the Fourteenth Article of the Treaty of Dancing Rabbit Creek, a record of which is found on page 550, Volume One, of the record of the Court of Claims in the case of the Choctaw Nation of Indians versus the United States, being number 12742. It appears that Bo-le-he-na was awarded Section 32, Township 9, Range 13 East; that she had at the time of the ratification of the Treaty of Dancing Rabbit Creek, two children under the age of ten years, one of them being Ish-tem-po-tubbee, who received the N.W. 1/4 of Section 5, Township 8, Range 13 East, and the other, Ah-no-sa-cubbee, who received the S.W. 1/4 of said last named Section. Opposite the name of Bo-le-he-na, appears the following notation: "Tonubbee, witness, says; claimants, with others were at the annuity at Leflore's for the purpose of having her name registered; that Ward had refused to register any more before the Mug-ga-lushes had an opportunity to apply. Claimant continued to reside upon her place for about nine years after the treaty, when she was dispossessed by Joe Kane, a white man. Com'rs allow the claim and award land, it not having been disposed of by govt.

(By the Commission)

Reference is hereby made to the patent covering the land herein above described which was awarded to Ah-no-sa-cubbee whose English name is John Smith, the father of this applicant, to be found with the record in the matter of the application of John Smith for identification as a Mississippi Choctaw, made at Philadelphia this date.

- Q Are there any additional statements that you desire to make in support of this application? A No sir.
Q Have you any documentary evidence, affidavits, written testimony of any description, copies of records, deeds or patents, or any other proper papers showing that any of your ancestors were in the year 1830, when the treaty of Dancing Rabbit Creek was made, recognized members of the Choctaw tribe of Indians, or that any of them ever complied or attempted to comply with the provisions of the Fourteenth Article of the Treaty of 1830, or ever received any benefits under that article of that treaty? A No sir.

Seborn Smith, et al., #4.

(This applicant appears to be a full blood Choctaw Indian. He speaks the Choctaw language and also speaks the English language sufficiently to testify without the use of an interpreter. The applicant is a minister among his own people.)

The decision of the Commission as to the application made by you at this time for the identification of yourself, your wife, and minor nephew, Dan Amos, for identification as Mississippi Choctaws, will be determined at the earliest possible date, and a report of the same made to the Secretary of the Interior conformable to the provisions of the Twenty First Section of the Act of Congress of June 28, 1898, and a copy of the same will be mailed to you at your post office address as given in your testimony.

R. S. Streit, being first duly sworn, upon his oath states that as stenographer to the Commission to the Five Civilized Tribes, he reported in full all proceedings had in the above entitled cause on the 3rd day of May, 1901, and that the above and foregoing is a full, true and correct translation of his stenographic notes of said proceedings on said date.

R. S. Streit

Subscribed and sworn to before me at Meridian, Mississippi, this 31 day of May 1901.

[Signature]
Notary Public.

Cow

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

In the matter of the application of Seborn Smith, et al.,
for identification as Mississippi Choctaws, M.C.R. 2018

-----D E C I S I O N -----

It appears from the record herein that application for identification as Mississippi Choctaws was made to this Commission May 3, 1901, by Seborn Smith for himself, his wife Emma, and his minor nephew, Dan Amos, under the following provision of the Act of Congress approved June 28, 1898 (30 Stats. 495):

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto and make report to the Secretary of the Interior."

From the evidence submitted in support of said application it appears that all the applicants are full blood Mississippi Choctaw Indians.


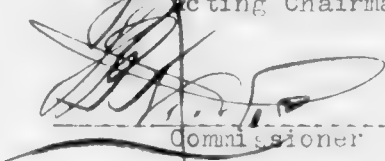

Section forty-one of the Act of Congress entitled "An Act to ratify and confirm an agreement with the Choctaw and Chickasaw

tribes of Indians, and "for other purposes" approved July 1, 1902, (32 Stats. 641) and ratified by the Choctaw and Chickasaw Nations September 20, 1902, provides as follows:

"The application of no person for identification as a Mississippi Choctaw shall be received by said Commission after six months subsequent to the date of the final ratification of this agreement and in the disposition of such applications all full-blood Mississippi Choctaw Indians and the descendants of any Mississippi Choctaw Indians whether of full or mixed blood who received a patent to land under the said fourteenth article of the said treaty of eighteen hundred and thirty who had not moved to and made bona fide settlement in the Choctaw-Chickasaw country prior to June twenty-eighth, eighteen hundred and ninety-eight, shall be deemed to be Mississippi Choctaws, entitled to benefits under article fourteen of the said treaty of September twenty-seventh, eighteen hundred and thirty, and to identification as such by said Commission, but this direction or provision shall be deemed to be only a rule of evidence and shall not be invoked by or operate to the advantage of any applicant who is not a Mississippi Choctaw of the full blood, or who is not the descendant of a Mississippi Choctaw who received a patent to land under said treaty, or who is otherwise barred from the right of citizenship in the Choctaw Nation all of said Mississippi Choctaws so enrolled by said Commission shall be upon a separate roll."

It is, therefore, the opinion of this Commission that Seborn Smith, Emma Smith and Dan Amos should be identified as Mississippi Choctaws, and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES


Acting Chairman

Commissioner

C. R. Brock
Commissioner

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DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED
DEC 27 1901

 ACTING CHAIRMAN.

COMMISSIONERS

HENRY L. DAWES,
TAMM BIXBY,
THOMAS B. NEEDLES,
C. R. BRECKINRIDGE

ALLISON L. AYLESWORTH,
SECRETARY.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES.

Carthage, Mississippi, December 18th, 1901.

Commission to the Five Civilized Tribes,

Muskogee, Indian Territory,

Gentlemen:-

Referring to M.C.C.Field No.285, I have to report that No.1 thereon is now deceased, proof of her death having been taken at this place on the 11th inst. No.2 thereon now lives with Seaborn Smith, M.C.C.Field No.177. Seaborn Smith appeared before the Commission at Philadelphia, Mississippi, on the 3rd day of May last and made application for the identification of himself, his wife and this child as Mississippi Choctaws, their names appearing upon M.C.C.Field No.R-2018. The name of this boy was given in as Dan Amos.

Yours truly,

Ally L. Emerson

Emerson

Miss.chootaw 2018

Muskogee, Indian Territory, April 15, 1902.

Seborn Smith,

Pontell, Mississippi,

Dear Sir:

Receipt is hereby acknowledged of your letter of April 7, making inquiry with regard to the appointment of the Commission at Meridian, Mississippi, April 14 to 30, 1902, inclusive; also as to when the Mississippi Choctaws should remove to the Indian Territory.

In reply to your letter you are advised that the Commission will be at Meridian, Mississippi, until April 30, 1902, which will conclude the series of appointments in Mississippi, beginning April 1, 1901, and the party now operating in that state will be permanently withdrawn.

In reply to your inquiry as to when Mississippi Choctaws should remove to the Indian Territory, your attention is invited to the following provision of the act of Congress of May 31, 1900:

"That any Mississippi Choctaw duly identified as such by the United States Commission to the Five Civilized Tribes shall have the right, at any time prior to the approval of the final rolls of the Choctaws and Chickasaws by the Secretary of the Interior, to make settlement within the Choctaw-Chickasaw country, and on proof of the fact of bona fide settlement may be enrolled by the said United States Commission and by the Secretary of the Interior, as Choctaws entitled

B.S. 2

to allotment."

No decision has yet been reached nor opinion rendered relative to your application for the identification of yourself and family as Mississippi Choctaws. As soon as a decision is reached you will be notified of the action of the Commission.

Yours truly,

Acting Chairman.

M C R 2018

Muskogee, Indian Territory, July 23, 1902.

Seaborn Smith,

Pontell, Mississippi.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 1st instant, in which you desire to be informed relative to the rights of the Mississippi Choctaw Indians and especially as to what Congress did at the last session for the protection of these Indians.

You also desire to be furnished with a copy of the last annual report of the Commission.

Replying to your communication you are advised that an agreement entered into between representatives on the part of the United States and the Choctaw and Chickasaw Nations at Washington, D. C., March 21, 1902, was ratified by an act of Congress July 1, 1902, and contains the following provision relative to Mississippi Choctaws:

"All persons duly identified by the Commission to the Five Civilized Tribes under the provisions of section 21 of the act of Congress approved June 28, 1898 (30 Stats., 495), as Mississippi Choctaws entitled to benefits under article 14 of the treaty between the United States and the Choctaw Nation concluded September 27, 1830, may, at any time within six months after the date of their identification as Mississippi Choctaws by the said Commission, make bona fide settlement within the Choctaw-Chickasaw

country, and upon proof of such settlement to such Commission within one year after the date of their said identification as Mississippi Choctaws shall be enrolled by such Commission as Mississippi Choctaws entitled to allotment as herein provided for citizens of the tribes, subject to the special provisions herein provided as to Mississippi Choctaws, and said enrollment shall be final when approved by the Secretary of the Interior. The application of no person for identification as a Mississippi Choctaw shall be received by said Commission after six months subsequent to the date of the final ratification of this agreement and in the disposition of such applications all full-blood Mississippi Choctaw Indians and the descendants of any Mississippi Choctaw Indians whether of full or mixed blood who received a patent to land under the said fourteenth article of the said treaty of eighteen hundred and thirty who had not moved to and made bona fide settlement in the Choctaw-Chickasaw country prior to June twenty-eighth, eighteen hundred and ninety-eight, shall be deemed to be Mississippi Choctaws, entitled to benefits under article fourteen of the said treaty of September twenty-seventh, eighteen hundred and thirty, and to identification as such by said Commission, but this direction or provision shall be deemed to be only a rule of evidence and shall not be invoked by or operate to the advantage of any applicant who is not the descendant of a Mississippi Choctaw who received a patent to land under said treaty, or who is otherwise barred from the right of citizenship in the Choctaw Nation, all of said Mississippi Choctaws so enrolled by said Commission shall be upon a separate roll."

This agreement is not effective at this time, being subject to ratification by the Choctaw and Chickasaw Nations at a special election to be called by the chief executives of these two tribes within one hundred and twenty days from July 1, 1902.

We cannot presume at this time to render any opinion upon the construction likely to be placed upon the article above quoted from the agreement of March 21, 1902, but in the event of the ratification of this agreement by the members of the Choctaw

and Chickasaw Nations, the Commission will undoubtedly be instructed by the Secretary of the Interior relative to the authority of the Commission thereunder.

We cannot comply with your request to furnish you with a copy of the last annual report of the Commission as the limited edition furnished us is now entirely exhausted. In the event that we are in receipt of any additional copies, your request will be complied with.

Yours truly,

Commissioner in Charge.

Muskogee, Indian Territory, November 29, 1902.

Seaborn Smith,

Pontell, Mississippi.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 7th instant, in which you ask when the full blood Mississippi Choctaws should move to the Indian Territory, and if the government will pay the expense of such removal.

In reply to your letter you are informed that the Commission has not, up to this time, passed upon the rights of full blood Choctaw Indians, residing in Mississippi, to be identified as Mississippi Choctaws, but is now considering their applications and it is probable that decisions will be rendered in the near future, when the applicants will be duly notified of the action of the Commission.

Relative to the time when the full blood Choctaw Indians should remove to the Choctaw Nation, Indian Territory, your attention is invited to the following provisions of act of Congress approved July 1, 1902, and ratified by the citizens of the Choctaw and Chickasaw Nations on September 25, 1902:

*41. All persons duly identified by the Commission to the Five Civilized Tribes under the provisions of section 21 of the act of Congress approved June 28, 1898 (30 Stats., 495), as Mississippi Choctaws entitled to benefits under article fourteen of the treaty between the United States and the Choctaw

S.S.----2.

Nation concluded September 27, 1830, may, at any time within six months after the date of their identification as Mississippi Choctaws by the said Commission, make bona fide settlement within the Choctaw-Chickasaw country, and upon proof of such settlement to such Commission within one year after the date of their said identification as Mississippi Choctaws entitled to allotment as herein provided for citizens of the tribes, subject to the special provisions herein provided as to Mississippi Choctaws, and said enrollment shall be final when approved by the Secretary of the Interior x x x x."

You are further advised that the Commission knows of no funds of the government available for defraying the expenses of the removal of full blood Mississippi Choctaws to the Choctaw-Chickasaw country.

Respectfully,

Acting Chairman.

M.C.R. 2018.

Muskogee, Indian Territory, January 19, 1903.

Seaborn Smith,

Pontell, Mississippi.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 10th inst., in which you ask "please let me know how long fore Governor will notify Mississippi Choctaws to remove to Choctaws' country, Ind. Ter." You state that a good many Choctaws have made contracts with parties for their removal to Indian Territory, but that you do not want to make such a contract, and will wait for notice to come.

In reply to your letter, you are informed that it appears from the records of the Commission that you are an applicant for the identification of yourself and family as Mississippi Choctaws.

The Commission has not up to the present time rendered any opinion or decision relative to the right of the full blood Choctaw Indians residing in Mississippi to be identified as Mississippi Choctaws, but is now considering their applications, and it is probable decisions will be rendered in the near future, when

such applicants will be duly notified of the action of the Commission, and of the forwarding of the records to the Secretary of the Interior.

Relative to the time when you should remove to, and make settlement within the Choctaw-Chickasaw country, your attention is invited to the following provision of the act of Congress approved July 1, 1902, which was ratified by the citizens of the Choctaw and Chickasaw Nations September 25, 1902:

"All persons duly identified by the Commission to the Five Civilized Tribes under the provisions of section 21 of the act of Congress approved June 28, 1898 (30 Stats., 495), as Mississippi Choctaws entitled to benefits under article 14 of the treaty between the United States and the Choctaw Nation concluded September 27, 1830, may, at any time within six months after the date of their identification as Mississippi Choctaws by the said Commission, make bona fide settlement within the Choctaw-Chickasaw country, and upon proof of such settlement to such Commission within one year after the date of their said identification as Mississippi Choctaws shall be enrolled by such Commission as Mississippi Choctaws entitled to allotment as herein provided for citizens of the tribes, subject to the special provisions herein provided as to Mississippi Choctaws, and said enrollment shall be final when approved by the Secretary of the Interior."

Respectfully,

Commissioner in Charge.

COPY.

M C R 2018

Muskogee, Indian Territory, February 21, 1903.

Mansfield, McMurray & Cornish,

Attorneys for the Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:

Enclosed herewith you will find a copy of the decision of the Commission rendered February 14, 1903, identifying Seborn Smith, his wife Emma Smith, and minor nephew Dan Amos as Mississippi Choctaw Indians under the provisions of the forty-first section of the act of Congress approved July 1, 1902, (32 Stats., 641)

You are hereby advised that you will be allowed fifteen days from the date hereof, in which to file with this Commission such protest as you desire to make against the action of the Commission in identifying the said Seborn Smith, his wife, and minor nephew as Mississippi Choctaws, and make satisfactory proof of service of said protest upon the applicants herein.

If you fail to file such protest within the time allowed, the names of the applicants herein will be placed upon the schedule of duly identified Mississippi Choctaws now being prepared by this Commission.

Respectfully,

Register.
GR-M. C. R. 2018.

ONE

Tamc Bixby.
Acting Chairman.

M.C.R. 2018.

COPY.

Muskogee, Indian Territory, March 11, 1903.

Seborn Smith,
Pontell, Mississippi.

Dear Sir:

Enclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered February 14, 1903, identifying yourself, your wife, Emma Smith, and your nephew, Dan Ames, as Mississippi Choctaw Indians under the provisions of Section 41 of the Act of Congress approved July 1, 1902, (32 Stats., 641).

If you remove to the Choctaw-Chickasaw country, Indian Territory, before August 14, 1903, you will have six months from that date, or until February 14, 1904, within which to make proof of such removal and settlement at the office of the Commission at Atoka, Choctaw Nation, or Tishomingo, Chickasaw Nation.

Respectfully,

Chairman.

Registered.

Enc. 2018.

Muskogee, Indian Territory, March 25, 1903.

Seborn Smith,

Pontell, Mississippi.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 9th instant, in which you ask to be advised relative to contracts made by certain parties with full blood Mississippi Choctaws, providing for their removal from Mississippi to the Indian Territory. You state that an infant child has been born to Mrs. Nancy Jane Bob since her appearance before the Commission May 3, 1901; also one to Frankson Tombee.

In reply to your letter your attention is invited to the following provision of the act of Congress of May 31, 1900:

"Provided further, That all contracts or agreements looking to the sale or incumbrance in any way of the lands to be allotted to said Mississippi Choctaws shall be null and void."

Relative to the birth of the children mentioned in your letter your attention is further called to the following provision of the act of Congress approved July 1, 1902, which was ratified by the citizens of the Choctaw and Chickasaw Nations September 25, 1902:

"The application of no person for identification as a Mississippi Choctaw shall be received by said Commission after six months subsequent to the final ratification of this agreement."

S S 2

Under the above legislation you are advised that the time within which the Commission can receive or consider applications for identification as Mississippi Choctaws will expire at midnight, this date.

Respectfully,

Chairman.

M.C. 2018.

Muskogee, Indian Territory. April 2, 1902.

Sebern Smith,

Pontell, Mississippi.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 32d ultimo, relative to the decision of the Commission identifying yourself and family, and your father, John Smith, as Mississippi Choctaws entitled to allotment in the lands of the Choctaw and Chickasaw Nations in Indian Territory.

You state that you have planted your crop and do not want to move to the Indian Territory until you have harvested the same. You ask the Commission to advise you in the premises.

In reply to your letter, your attention is invited to the following provision of the act of Congress approved July 1, 1902 which was ratified by the citizens of the Choctaw and Chickasaw Nations September 25, 1902:

"All persons duly identified by the Commission to the Five Civilized Tribes under the provisions of section 21 of the act of Congress approved June 28, 1898 (30 Stats., 495), as Mississippi Choctaws entitled to benefits under article 14 of the treaty between the United States and the Choctaw Nation concluded September 27, 1830, may, at any time within six months after the date of their identification as Mississippi

Choctaws by the said Commission, make bona fide settlement within the Choctaw-Chickasaw country, and upon proof of such settlement to such Commission within one year after the date of their said identification as Mississippi Choctaws shall be enrolled by such Commission as Mississippi Choctaws entitled to allotment as herein provided for citizens of the tribes, subject to the special provisions herein provided as to Mississippi Choctaws, and said enrollment shall be final when approved by the Secretary of the Interior."

The decision of the Commission identifying yourself and family, and your father, John Smith, as Mississippi Choctaws was rendered February 14, 1903; and under the provision of law above quoted you will be required to remove to and make bona fide settlement within the Choctaw-Chickasaw country before August 14, 1903; and you will have six months from that date, or until February 14, 1904, within which to make proof of such removal and settlement at the land office of the Commission at Atoka, Choctaw Nation, or Tishomingo, Chickasaw Nation.

Respectfully,

Commissioner in Charge.

M C R 2018

Muskogee, Indian Territory, August 7, 1903.

Seborn Smith,

Pontell, Mississippi.

Dear Sir:

Receipt is heroby acknowledged of your letter of July 31, 1903, in which you request that Lucy Phillip be notified of her identification as a Mississippi Choctaw, at Cushtusa, Mississippi.

In reply you are informed that on July 21, 1903, the Commission rendered its decision identifying Lucie Philip and her minor child as Mississippi Choctaws entitled to allotment in the lands of the Choctaw and Chickasaw Nations, of which action she was duly advised on that date at Cushtusa, Mississippi.

Respectfully,

Commissioner in Charge.

M C R 2018
M C R 2026

Muskogee, Indian Territory, December 5, 1903.

Seborn Smith,

Seper, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 2nd instant, in which you state " I have in my possession a decision from you granting Citizenship as a Mississippi Choctaw to my Father John Smith (Ah-no-sah-cubbee) Who died in Mississippi September 25th 1902. please advise me how I shall proceed to get His land here."

In reply you are informed that it appears from our records that on February 14, 1903, the Commission rendered a decision identifying John Smith (Ah-no-sah-cubbee) as a full blood Mississippi Choctaw, and on March 11, 1903, he was notified that if he removed to the Choctaw-Chickasaw country, Indian Territory, before August 14, 1903, he would have six months from that time, or until February 14, 1904, within which to make proof of such removal and settlement at the office of the Commission at Atoka, Choctaw Nation, or Tishomingo, Chickasaw Nation, in accordance with the following provision of the act of Congress of July 1, 1902; which was ratified by the Choctaw and Chickasaw Nations, September 25, 1902:

S.S.--2.

"All persons duly identified by the Commission to the Five Civilized Tribes under the provisions of section 21 of the act of Congress approved June 28, 1898 (30 Stats., 495), as Mississippi Choctaws entitled to benefits under article 14 of the treaty between the United States and the Choctaw Nation concluded September 27, 1830, may, at any time within six months after the date of their identification as Mississippi Choctaws by the said Commission, make bona fide settlement within the Choctaw-Chickasaw country, and upon proof of such settlement to such Commission within one year after the date of their identification as Mississippi Choctaws entitled to allotment as herein provided for citizens of the tribes, subject to the special provisions herein provided as to Mississippi Choctaws, and said enrollment shall be final when approved by the Secretary of the Interior."

You are further advised that it does not appear from our records that your father, John Smith (Ah-no-sah-cubbe), removed to the Choctaw-Chickasaw country, Indian Territory, within the six months from the date of his identification as required by the provision of the act of Congress of July 1, 1902, above quoted.

Respectfully,

Chairman.

For Identification as a Mississippi Choctaw.

Date May 3, 1901

Name Leborn Smith -

Age 38 Blood full

Post Office, Ewing. Miss

Father: John Smith full b. c
(ah nosa eubler) - " "

Mother: Esternollie hoky. d

Claims through both parents

wife - Emma Smith full b. 40

wife's father Atoklumbe f.b. d

wife's mother Nowahoke f.b. d

See McCord filed No. 177

Children:

Van Amos - full b. 12

father - Leston Amos full b. d

mother Mary " " " d

Claims for self, wife and
nephew - an orphan minor.

Stenographer

R. P. Streit

Leborn Smith, et al.

COPY OF DECISION FORWARDED
APPLICANT

MAR 11 1903

Choctaw MCR 2019

Morris Bob

MCR 2019

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

The record herein is in the matter of the
application of Morris Bob for identification as a
Mississippi Choctaw-- -- ----- M.C.R. 2019.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

In the matter of the application of Morris Bob for
identification as a Mississippi Choctaw, M.C.R. 2019.

I N D E X

	Page
Original application of Morris Bob to the Dawes Commission for identification as a Mississippi Choctaw	1
Decision of the Commission identifying Morris Bob as a Mississippi Choctaw	4

Department of the Interior.
Commission to the Five Civilized Tribes.
Philadelphia, Mississippi, May 3, 1901.

In the matter of the application of Morris Bob for identification as a Mississippi Choctaw; he being first duly sworn, upon his oath states as follows: (Jim Polk, duly sworn Interpreter.)

Examination by the Commission.

- Q What is your name? A Morris Bob.
Q What is your age? A 45.
Q What is your post office address? A Engine, Mississippi.
Q How long have you lived at Engine? A Five years.
Q Where did you live before you lived at Engine? A This side about four miles.
Q Were you born there? A Yes.
Q Always lived in Mississippi? A Yes.
✓Q What is your father's name? A Ar-pis-a-tubbee.
✓Q Is he a full blood? A Yes.
Q Is he dead? A Dead.
✓Q What is the name of your mother? A E-li-ya-ho-na.
✓Q Full blood? A Yes.
Q Is she dead? A Yes.
✓Q Are you a full blood? A Yes.
Q Have your parents, through whom you claim your right to be identified as a Mississippi Choctaw, ever been recognized in any manner or enrolled as members of the Choctaw tribe of Indians by the Choctaw tribal authorities, or by the authorities of the United States? A No.
Q Are you married? A Yes.
Q Is your wife living? A Dead.
Q Have you any children? A No.
Q Just appear for yourself alone? A Yes.
Q Is your name on any of the tribal rolls of the Choctaw Nation in Indian Territory? A No.
Q Have you ever made application to the Choctaw tribal authorities in Indian Territory to be enrolled as a member of the tribe? A No.
Q Did you, or did anyone for you, in 1896, make application to the Commission to the Five Civilized Tribes, under the Act of Congress of June 10, 1896, for citizenship in the Choctaw Nation in Indian Territory? A No.
Q Have you ever been admitted to citizenship in the Choctaw Nation by either the Choctaw tribal authorities, the Commission to the Five Civilized Tribes, or by the United States Court in Indian Territory? A No.
Q Have you ever made application before this time to either the Choctaw tribal authorities or to the authorities of the United States to be admitted or enrolled as a citizen of the Choctaw Nation? A Yes.

The records of the Commission show that on January 31, 1899, Morris Bob appeared before the Commission at Philadelphia, Mississippi, and made application for the identification of himself and his wife as Mississippi Choctaws, their names appearing upon Mississippi Choctaw Card, Field Number 182, also upon page 58 of the Schedule of Mississippi Choctaws, which accompanied the report of March 10,

Morris Bob, #2.

1899, of the Commission to the Five Civilized Tribes to the Secretary of the Interior, as to the identity of Choctaw Indians residing in Mississippi, claiming rights in the Choctaw lands under the provisions of the Fourteenth Article of the Treaty of 1830, being numbers 625 and 626, respectively, thereon.

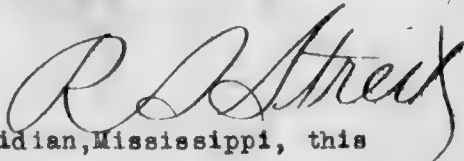
- Q Is this the first application, except the one you made two years ago? A Yes.
- Q Is it now your purpose to make application for identification as a Mississippi Choctaw? A Yes.
- Q Do you claim your right as a beneficiary under the provisions of the fourteenth article of the treaty of 1830? A Yes.
- Q Have you ever received any benefits as a Choctaw Indian? A No.
- Q Have any of your ancestors ever received any benefits as Choctaw Indians? A No.
- Q What was the name of your ancestor, or ancestors, who were residents of the old Choctaw Nation in Mississippi and Alabama, and who were acknowledged members of the Choctaw tribe of Indians in 1830, when the treaty of Dancing Rabbit Creek was entered into between the United States and the Choctaw tribe of Indians? A I don't know.
- Q Did your ancestors remove from Mississippi or Alabama between the years 1833 and 1838, when the other Choctaw Indians went to the Indian Territory? A No.
- Q Did any of your ancestors, within six months after the ratification of the Treaty of 1830, tell the United States Indian Agent living in Mississippi that they wanted to stay in Mississippi and take land here and not go to the Indian Territory? A I don't know.
- Q Did any of your ancestors ever claim or receive any land in Mississippi under article fourteen of the treaty of 1830? A No.
- Q Are there any additional statements you desire to make in support of this application? A No.
- Q Have you any documentary evidence, affidavits, written testimony of any description, copies of records, deeds or patents, or any other proper papers showing that any of your ancestors were in the year 1830, when the Treaty of Dancing Rabbit Creek was made, recognized members of the Choctaw tribe of Indians, or that any of them ever complied or attempted to comply with the provisions of the Fourteenth Article of the Treaty of 1830, or ever received any benefits under that article of that treaty? A No.

(This applicant has every appearance and characteristic of a full blood Choctaw Indian. He speaks the Choctaw language, but does not speak the English language, his testimony having been given through a sworn Choctaw interpreter.)


The decision of the Commission as to the application made by you at this time for identification as a Mississippi Choctaw will be determined at the earliest possible date, and a report of same made to the Secretary of the Interior conformable to the provisions of the Twenty First Section of the Act of Congress of June 28, 1898, and a copy of the same will be mailed to you at your post office address, as given in your testimony.

Morris Bob, #3.

R. S. Streit, being first duly sworn, upon his oath states that as stenographer to the Commission to the Five Civilized Tribes, he reported in full all proceedings had in the above entitled cause on the 3rd day of May, 1901, and that the above and foregoing is a full, true and correct translation of his stenographic notes of said proceedings on said date.



Subscribed and sworn to before me at Meridian, Mississippi, this the 30th day of May, 1901.



Notary Public.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

Cover

In the matter of the application of Morris Bob for
identification as a Mississippi Choctaw, M.C.R. 2019.

---- D E C I S I O N -----

It appears from the record herein that application for
identification as a Mississippi Choctaw was made to this Commission
on May 3, 1901, by Morris Bob for himself, under the following
provision of the Act of Congress approved June 26, 1898(30 Stats.
495):

"Said Commission shall have authority to determine the
identity of Choctaw Indians claiming rights in the Choctaw
lands under article fourteen of the treaty between the United
States and the Choctaw Nation, concluded September twenty-
~~seventh~~, eighteen hundred and thirty, and to that end may
administer oaths, examine witnesses and perform all other acts
necessary thereto and make report to the Secretary of the
Interior."

From the evidence submitted in support of said application
it appears that the applicant is a full blood Mississippi Choctaw
Indian.

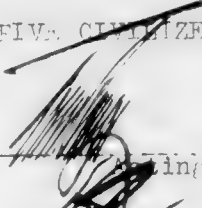

Section forty-one of the Act of Congress entitled "An Act
to ratify and confirm an agreement with the Choctaw and Chickasaw
tribes of Indians, and for other purposes" approved July 1, 1902,


(32 Stats. 641) and ratified by the Choctaw and Chickasaw Nations September 25, 1902, provides as follows:

"The application of no person for identification as a Mississippi Choctaw shall be received by said Commission after six months subsequent to the date of the final ratification of this agreement and in the disposition of such applications all full-blood Mississippi Choctaw Indians and the descendants of any Mississippi Choctaw Indians whether of full or mixed blood who received a patent to land under the said fourteenth article of the said treaty of eighteen hundred and thirty who had not moved to and made bona fide settlement in the Choctaw-Chickasaw country prior to June twenty-eighth, eighteen hundred and ninety-eight, shall be deemed to be Mississippi Choctaws, entitled to benefits under article fourteen of the said treaty of September twenty-seventh, eighteen hundred and thirty, and to identification as such by said Commission, but this direction or provision shall be deemed to be only a rule of evidence and shall not be invoked by or operate to the advantage of any applicant who is not a Mississippi Choctaw of the full blood, or who is not the descendant of a Mississippi Choctaw who received a patent to land under said treaty, or who is otherwise barred from the right of citizenship in the Choctaw Nation, all of said Mississippi Choctaws so enrolled by said Commission shall be upon a separate roll."

It is, therefore, the opinion of this Commission that Morris Bob should be identified as a Mississippi Choctaw and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES


Chairman

Commissioner


Commissioner

uskogee, Indian Territory

FEB 14 1903

COPI

H.C.P. 2019

Muskogee, Indian Territory, February 21, 1903.

Danfield, McMurray & Cornish,

Attorneys for the Choctaw and Chickasaw Nations,
South McAlester, Indian Territory.

Gentlemen:

Enclosed herewith you will find a copy of the decision of the Commission rendered February 14, 1903, identifying Morris Bob as a Mississippi Choctaw Indian under the provisions of the forty-first section of the act of Congress approved July 1, 1902 (32 Stats., 641).

You are hereby advised that you will be allowed fifteen days from the date hereof, in which to file with this Commission such protest as you desire to make against the action of the Commission in identifying the said Morris Bob as a Mississippi Choctaw, and make satisfactory proof of service of said protest upon the applicant herein.

If you fail to file such protest within the time allowed, the name of the applicant herein will be placed upon the schedule of duly identified Mississippi Choctaws now being prepared by this Commission.

Respectfully,

RECEIVED

Registered,
Enc. H.C. 17

James D. Smith,
Acting Chairman.

M.C.R. 2019

Muskogee, Indian Territory, March 11, 1903

Morris Bob,

Engine, Mississippi.

Remailed May 6-03 to Kiowa, D.T.

Dear Sir:

Enclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered February 14, 1903, identifying you as a Mississippi Choctaw Indian under the provisions of Section 41 of the Act of Congress approved July 1, 1902 (32 Stats., 641).

If you remove to the Choctaw-Chickasaw country, Indian Territory, before August 14, 1903, you will have six months from that date, or until February 14, 1904, within which to make proof of such removal and settlement at the office of the Commission at Atoka, Choctaw Nation, or Tishomingo, Chickasaw Nation.

Respectfully,

Jane Pixby.

Chairman.

Registered.

Enc. 2019

M C R 2019

Muskogee, Indian Territory, May 6, 1903.

Morris Bob,

Kiowa, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 4th instant, in which you ask that you be advised of your name and age.

In reply you are informed that it appears from our records that on May 3, 1901, at Philadelphia, Mississippi, Morris Bob, forty-five years of age, made application to this Commission for identification as a Mississippi Choctaw.

On March 11, 1903, the Commission rendered its decision identifying you as a Mississippi Choctaw entitled to allotment in the lands of the Choctaw and Chickasaw Nations, of which action you were duly advised by registered mail at your last known post office address, Eagle, Mississippi. This letter was returned to the Commission as "unclaimed", and is this day remailed you at Kiowa, Indian Territory.

Respectfully,

Chairman.

FOR IDENTIFICATION

R. 2013

Morris Bob.

COPY OF DECISION FORWARDED
APPLICANT

MAR 11 1903

10. 11. 1903

5/6/03

For Identification as a Mississippi Choctaw.

Date May 3. 1901.

Name Morris Bob.

Age 45- Blood full -

Post Office, Engrine, Miss

Father: Arpisa tubbee f. b. d

Mother: Elijahona " " d

Claims through both parents.

see Miss Choce card

find No. 182

appears for self alone.

Children.

Stenographer R. D. Street

Choctaw MCR 2020

Johnnie Bob

MCR 2020

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

The within record is in the matter of the
application of Johnnie Bob, et al., for identification as
Mississippi Choctaws,

M.C.R. 2020

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

In the matter of the application of Johnnie Bob, et al.,
for identification as Mississippi Choctaws, M.C.R. 2020

I N D E X

	Page
Original application of Johnnie Bob, et al., to the Dawes Commission for identification as Mississippi Choctaws	1
Decision of the Commission identifying Johnnie Bob, et al., as Mississippi Choctaws	4

Department of the Interior.
Commission to the Five Civilized Tribes.
Philadelphia, Mississippi, May 3, 1901.

In the matter of the application of Johnnie Bob, for the identification of himself and wife as Mississippi Choctaws.

Johnnie Bob, being first duly sworn, upon his oath states as follows: (Jim Polk, a duly sworn interpreter.)

Examination by the Commission.

- Q What is your name? A Johnnie Bob.
Q What is your age? A About 26.
Q What is your post office address? A Tucker, Mississippi.
Q How long have you lived at Tucker? A All my life.
Q Born at Tucker, Mississippi? A Yes sir.
Q What is your father's name? A William Bob.
Q Is he a full blood? A Yes.
Q Living? A Died.
Q What is your mother's name? A Amy.
Q Full blood? A Yes.
Q Living? A Died.
Q Do you claim to be a full blood? A Yes.
Q Do you claim through both your father and mother? A Yes.
Q Have your parents, through whom you claim your right to identification as a Mississippi Choctaw ever been recognized in any manner or enrolled as a member of the Choctaw tribe of Indians by the Choctaw tribal authorities or by the authorities of the United States? A No.
Q Are you married? A Yes.
Q What is your wife's name? A Martha.
Q Is she a full blood? A Yes.
Q How old is Martha? A 20.
Q Do you want to make application for Martha? A Yes.
Q When were you married? A In January, 1900.
Q Were you married according to the Choctaw laws? A By license.
Q Where did you get the license? A From the Clerk of the District Court.
Q What is your wife's father's name? A John Maley.
Q Was he a full blood? A Yes.
Q What was the wife's mother's name? A Noley.
Q Is she a full blood? A Yes.
Q Is she living? A Yes.
Q Does your wife, Martha Bob, claim her Choctaw blood through both her parents? A Yes.
Q Have your wife's parents, through whom you claim for her the right to identification as a Mississippi Choctaw, ever been recognized in any manner or enrolled as a member of the Choctaw tribe of Indians, either by the Choctaw tribal authorities or by the authorities of the United States? A No.
Q Have you any children? A No.
Q Is your name or your wife's name on any of the tribal rolls of the Choctaw Nation in Indian Territory? A No.
Q Have you ever made application to the Choctaw tribal authorities, for yourself or your wife, in Indian Territory, to be enrolled as members of that tribe? A No.
Q Did you, or any one for you, or for your wife, in 1896, make application to the Commission to the Five Civilized Tribes for citizenship in the Choctaw Nation under the Act of Congress of

Johnnie Bob, et al., #2.

June 10, 1896? A No.

- Q Have you ever, or has your wife, ever been admitted to citizenship in the Choctaw Nation by either the Choctaw tribal authorities, the Commission to the Five Civilized Tribes, or by the United States Court in Indian Territory? A No.
- Q Have you ever made application before this time, either for yourself or your wife, to either the Choctaw tribal authorities or to the authorities of the United States to be admitted or enrolled as citizens of the Choctaw Nation? A Yes,

The records of the Commission show that on January 30, 1899, this applicant appeared before the Commission at Philadelphia, Mississippi, and made application for the identification of himself and his wife, Isbey Bob, from whom he is now separated, as Mississippi Choctaws; his name appears upon Mississippi Choctaw Card, Field Number 166, also, upon page 56 of the Schedule of Mississippi Choctaws, which accompanied the report of March 10, 1899, of the Commission to the Five Civilized Tribes to the Secretary of the Interior as to the identity of Choctaw Indians residing in Mississippi, claiming rights in the Choctaw lands under the provisions of the Fourteenth Article of the Treaty of Dancing Rabbit Creek, being number 572 thereon.

- Q You have been married before have you? A Yes.
- Q What was the name of your first wife? A Isbey.
- Q Did she have a separation from you? A Yes.
- Q And she is now re-married? A I don't know.
- Q But you have re-married again? A Yes.
- Q And your present wife is Martha? A Yes.
- Q Except two years ago, is this the first application you have made? A Yes.
- Q Is it now your purpose to make application for the identification of yourself and wife as Mississippi Choctaws? A Yes.
- Q Do you claim your rights as beneficiaries under the Fourteenth Article of the Treaty of 1830? A Yes.
- Q Have you ever received any benefits as a Choctaw Indian? A No.
- Q Have any of your ancestors ever received any benefits as Choctaw Indians? A No.
- Q Do you know the name of your ancestor or ancestors who were residents of the Choctaw Nation in Mississippi and Alabama, and acknowledged members of the Choctaw tribe of Indians in 1830, when the Treaty of Dancing Rabbit Creek was entered into between the United States and the Choctaw Indians? A No.
- Q Did your ancestors remove from the territory occupied by the Choctaw Nation in Mississippi and Alabama to the present Choctaw Nation in Indian Territory at the time of the removal of the other members of the Choctaw tribe of Indians from 1833 to 1838? A No, I heard about it, but I don't know.
- Q Did any of your ancestors, within six months after the treaty of 1830, tell the United States Indian Agent for the Choctaw Indians in Mississippi that they intended to remain in Mississippi and become citizens of the States? A I don't know.
- Q Have any of your ancestors ever claimed or received any land in Mississippi as beneficiaries under the Fourteenth Article of the Treaty of 1830? A I don't know.
- Q Did any of your wife's ancestors ever claim or receive any land in Mississippi under Article Fourteen of the Treaty of 1830? A I don't know.
- Q Did any of your ancestors go to the Indian Agent in Mississippi

Johnnie Bob, et al., #3.

within six months after the Treaty of 1830, and tell the Agent that they wanted to stay here and become citizens of the States?

A I don't know.

Q Did any of your wife's ancestors go from Mississippi to the Indian Territory when the other Choctaw Indians went to the Indian Territory from 1833 to 1838? A I don't know.

Q Is there anything further you want to say in support of your application? A No.

Q Have you any documentary evidence, affidavits, written testimony of any description, copies of records, deeds or patents, or any other proper papers showing that your ancestors, or your wife's ancestors were, in the year 1830, when the Treaty of Dancing Rabbit Creek was made, recognized members of the Choctaw tribe of Indians, or that any of them ever complied or attempted to comply with the provisions of the Fourteenth Article of the Treaty of 1830, or ever received any benefits under that article of that Treaty? A Aint got any.

(This applicant has every appearance and characteristic of a full blood Choctaw Indian; he speaks the Choctaw language, but has no knowledge of the English language, his testimony having been given through a sworn interpreter of the Choctaw language.)

The decision of the Commission as to the application made by you at this time for the identification of yourself and wife as Mississippi Choctaws will be determined at the earliest possible date, and a report of same made to the Secretary of the Interior conformable to the provisions of the Twenty First Section of the Act of Congress of June 28, 1898, and a copy of the same will be mailed to you at your post office address as given in your testimony.

R.S. Streit, being first duly sworn, upon his oath states that as stenographer to the Commission to the Five Civilized Tribes, he reported in full all proceedings had in the above entitled cause on the 3rd day of May, 1901, and that the above and foregoing is a full, true and correct translation of his stenographic notes of said proceedings on said date.

Subscribed and sworn to before me at Meridian, Mississippi, this 30th day of May, 1901.


Notary Public.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

CW
In the matter of the application of Johnnie Bob et al.,
for identification as Mississippi Choctaws, M.C.R. 2020.

---- D E C I S I O N ----

It appears from the record herein that application for identification as Mississippi Choctaws was made to this Commission on May 3, 1901, by Johnnie Bob for himself and his wife, Martha Bob, under the following provision of the Act of Congress approved June 28, 1898 (30 Stats. 495):

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto and make report to the Secretary of the Interior."

From the evidence submitted in support of said application it appears that both the applicants are full blood Mississippi Choctaw Indians.

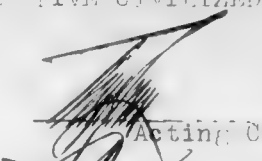


Section forty-one of the Act of Congress entitled "An Act to ratify and confirm an agreement with the Choctaw and Chickasaw tribes of Indians, and for other purposes" approved July 1, 1902,

(32 Stats. 641) and ratified by the Choctaw and Chickasaw Nations September 25, 1902, provides as follows:

"The application of no person for identification as a Mississippi Choctaw shall be received by said Commission after six months subsequent to the date of the final ratification of this agreement and in the disposition of such applications all full-blood Mississippi Choctaw Indians and the descendants of any Mississippi Choctaw Indians whether of full or mixed blood who received a patent to land under the said fourteenth article of the said treaty of eighteen hundred and thirty who had not moved to and made bona fide settlement in the Choctaw-Chickasaw country prior to June twenty-eighth, eighteen hundred and ninety-eight, shall be deemed to be Mississippi Choctaws, entitled to benefits under article fourteen of the said treaty of September twenty-seventh, eighteen hundred and thirty, and to identification as such by said Commission, but this direction or provision shall be deemed to be only a rule of evidence and shall not be invoked by or operate to the advantage of any applicant who is not a Mississippi Choctaw of the full blood, or who is not the descendant of a Mississippi Choctaw who received a patent to land under said treaty, or who is otherwise barred from the right of citizenship in the Choctaw Nation, all of said Mississippi Choctaws so enrolled by said Commission shall be upon a separate roll."

It is, therefore, the opinion of this Commission that Johnnie Bob and Martha Bob should be identified as Mississippi Choctaws and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES


Acting Chairman

Commissioner

C. R. Beckwith
Commissioner

Muskogee, Indian Territory

FEB 14 1903

BY.

M C R 2020

Muskogee, Indian Territory, February 21, 1903.

Mansfield, McMurray & Cornish,

Attorneys for the Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:

Enclosed herewith you will find a copy of the decision of the Commission rendered February 14, 1903, identifying Johnnie Bob, and his wife Martha Bob, as Mississippi Choctaw Indians under the provisions of the forty-first section of the act of Congress approved July 1, 1902, (32 Stats., 641).

You are hereby advised that you will be allowed fifteen days from the date hereof, in which to file with this Commission such protest as you desire to make against the action of the Commission in identifying the said Johnnie Bob, and his wife as Mississippi Choctaws, and make satisfactory proof of service of said protest upon the applicants herein.

If you fail to file such protest within the time allowed, the names of the applicants will be placed upon the schedule of duly identified Mississippi Choctaws now being prepared by this Commission.

Respectfully,

John D. Dwyer

Acting Chairman.

Register.-GR-enc-2020.

COPY.

M.C.R. 2020.

Muskogee, Indian Territory, March 11, 1903.

Johnnie Bob,

Tucker, Mississippi.

Dear Sir:

Enclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered February 14, 1903, identifying yourself and your wife, Martha Bob, as Mississippi Choctaw Indians under the provisions of Section 41 of the Act of Congress approved July 1, 1902, (32 Stats., 641).

If you remove to the Choctaw-Chickasaw country, Indian Territory, before August 14, 1903, you will have six months from that date, or until February 14, 1904, within which to make proof of such removal and settlement at the office of the Commission at Atoka, Choctaw Nation, or Tishomingo, Chickasaw Nation.

Respectfully,

(SIGNED)

Tame Gibbs.

Chairman.

Registered.

Enc. 2020.

Muskogee, Indian Territory, April 6, 1903.

Johnie Bob,

Tucker, Mississippi.

Dear Sir:

On March 31, 1903, there was received at this office the affidavit of the mother, Martha Bob, and that of the midwife, Liza Billy, relative to the birth of Elizabeth (Bixy), infant daughter of Johnie and Martha Bob, February 22, 1902.

In reply your attention is invited to the following provision of the act of Congress of July 1, 1902, which was ratified by the citizens of the Choctaw and Chickasaw Nations September 25, 1902:

"The application of no person for identification as a Mississippi Choctaw shall be received by said Commission after six months subsequent to the date of the final ratification of this agreement."

Under the above legislation the Commission is without authority to receive or consider the application of any person for identification as a Mississippi Choctaw.

Respectfully,

Commissioner in Charge.

M C R 2020

Muskogee, Indian Territory, May 4, 1905.

Johnny Bob,

Jackson, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of the applications for the enrollment as citizens of the Choctaw Nation of Bicy Bob, born February 23, 1902, and Lina Bob, born April 3, 1904, infant children of Johnny and Martha Bob.

Respectfully,

Chairman.

2020

20

MAR 21 1903
IN THE

Application for Enrollment of

INFANT CHILD

as a citizen of

Nation.

Approved

190

Commissioner.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,
of Bixy, born on the 22 day of February, 1902
(Here insert name of child.)
Name of Father: Johnnie Bob a citizen of the Choctaw Nation.
Name of Mother: Martha Bob a citizen of the Choctaw Nation.
Post-office Tucker, Miss.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
INDIAN TERRITORY
District.

I, Martha Bob (Maly), on oath state that I am twenty two
years of age and a citizen, by birth, of the Choctaw Nation;
that I am the lawful wife of Johnnie Bob, who is a citizen, by
birth, of the Choctaw Nation; that a female child was
(male or female.)
born to me on the 22 day of February, 1902; that said child has been
named Elizabeth (Bixy), and is now living.

WITNESSES TO MARK:

(Must be Two Witnesses.)

Martha Bob
J. E. Egaraway
J. E. Egaraway
J. E. Egaraway

Subscribed and sworn to before me this 25th day of March, 1903.

H. J. Quinn
Ex-officio
NOTARY PUBLIC

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
District,

I, Liza Billy, a physician, on oath state that I
attended on Mrs. Martha Bob, wife of Johnnie Bob
on the 22 day of February, 1902; that there was born to her on
said date a female child; that said child is now living and is said to have been
(male or female.)
named Elizabeth (Bixy).

WITNESSES TO MARK:

(Must be Two Witnesses.)

Liza Billy
J. E. Egaraway
J. E. Egaraway
J. E. Egaraway

Subscribed and sworn to before me this 25th day of March, 1903.

H. J. Quinn
Ex-officio
NOTARY PUBLIC

For Identification as a Mississippi Choctaw.

Date May 3, 1901

Name Johnnie Bob.

Age 26 Blood full

Post Office, Tucker, Miss

Father: William Bobb, f. b. d

Mother: Amy " f. b. d

Claims through both parents.

wife.

Martha Bob, f. b. 20
 wife's father - John Maley, f. b. d
 " Mother - Maley " " d

Children

we
 in Choctaw Land, filed No 166

Claims for land
 and wife.

Stenographer A. J. Street

FOR ID
Johnnie Bob, et al

**COPY OF DECISION FORWARDED
APPLICANT**

MAR 11 1903

Choctaw MCR 2021

Lucie Phillip

MCR 2021

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

-----C-----

In the matter of the application of Lucie Phillip, et al.,
for identification as Mississippi Choctaws.

-----C-----

Herein is the record in the matter of the application of
Lucie Phillip, et al., for identification as Mississippi
Choctaws, M.C.R. 2021.

-----C-----

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

---O---

In the matter of the application of Lucie Phillip, et al.,
for identification as Mississippi Choctaws, W.C.R. 2021.

--: I N D E X :--

	(Page)
Original application of Lucie Phillip, et al., to the Dawes Commission for identification as Mississippi Choctaws-----	1
Affidavit of J. G. Welch-----	4
Affidavit of Lucy Phillip-----	5
Decision of the Commission "identifying the above applicants as Mississippi Choctaws-----	6

---O---

Department of the Interior.
Commission to the Five Civilized Tribes.
Philadelphia, Mississippi, May 3, 1901.

In the matter of the application of Lucie Phillip for the identification of herself and one minor child as Mississippi Choctaws.

Lucie Phillip, being first duly sworn, upon her oath states as follows: (Jim Polk, duly sworn Interpreter.)

Examination by the Commission.

- Q What is your name? A Lucie Phillip.
Q What is your age? A 42.
Q What is your post office address? A Cushtusa, Mississippi.
Q How long have you lived there? A Born there, and always lived there.
Q What is your father's name? A John Lott.
Q Full blood? A Yes.
Q Is he living? A Died.
Q What is your mother's name? A Eli-no-e-mah.
Q Is she dead? A Yes.
Q Full blood? A Yes.
Q Are you a full blood? A Yes.
Q You claim through both parents? A Yes.
Q Have your parents, through whom you claim your right to identification as a Mississippi Choctaw, ever been recognized in any manner or enrolled as members of the Choctaw tribe of Indians, by the Choctaw tribal authorities, or by the authorities of the United States? A No.
Q Are you married? A My husband died.
Q What was your husband's name? A Buckhorn Phillip.
Q He is dead? A Yes.
Q When did he die? A Long time ago.
Q Have you any children under 21 years of age and unmarried that you want to make application for? A One.
Q What is its name? A Lesa.
Q Is that a boy? A Girl.
Q How old is Lesa? A 13 years old.
Q Was Buckhorn Phillip the father of Lesa? A Yes.
Q You are the mother? A Yes.
Q Is your name, or the name of your daughter, on any of the tribal rolls of the Choctaw Nation in Indian Territory? A No.
Q Have you ever made application to the Choctaw tribal authorities in Indian Territory to be enrolled as a member of the Tribe? A No.
A No.
Q Did you, or anyone for you, or for your child, in 1896, make application to the Commission to the Five Civilized Tribes for citizenship in the Choctaw Nation under the Act of Congress of June 10, 1896? A No.
Q Have you ever, before this time, made application to either the Choctaw tribal authorities or to the authorities of the United States to be admitted or enrolled as a citizen of the Choctaw Nation? A Yes.

The records of the Commission show that on January 31, 1899, this applicant appeared before the Commission at Philadelphia, Mississippi, and made application for the identification of herself and minor child, Lesa, as Mississippi

Lucie Phillip, et al., #2.

Choctaws, their names appearing upon Mississippi Choctaw card, Field Number 188; also, upon page 59 of the Schedule of Mississippi Choctaws, which accompanied the report of March 10, 1899, of the Commission to the Five Civilized Tribes to the Secretary of the Interior, as to the identity of Choctaw Indians claiming rights in the Choctaw lands under the provisions of the Fourteenth Article of the Treaty of Dancing Rabbit Creek, being numbers 649 and 650, respectively, thereon.

- Q Except two years ago when you appeared before the Commission, is this the first time you have appeared before the Commission? A Yes.
- A Yes.
- Q Do you now come to be identified as a Mississippi Choctaw? A Yes.
- Q Do you claim your rights as beneficiaries under the provisions of the Fourteenth Article of the Treaty of 1830? A Yes.
- Q Have you ever received any benefits as a Choctaw Indian? A No.
- Q Did any of your ancestors ever receive any benefits as Choctaw Indians? A No.
- Q Do you know the name of your ancestor or ancestors who were residents of the old Choctaw Nation in Mississippi and Alabama, and acknowledged members of the Choctaw tribe of Indians in 1830 when the Treaty of Dancing Rabbit Creek was entered into between the United States Government and the Choctaw tribe of Indians?
- A No.
- Q Did these ancestors, any of them, remove from the territory occupied by the Choctaw Nation in Mississippi and Alabama to the present Choctaw Nation, in Indian Territory, at the time of the removal of the other members of the Choctaw tribe of Indians from 1833 to 1838? A I don't know.
- Q Did any of your ancestors, within six months after the ratification of the Treaty of 1830, signify to the United States Indian Agent of the Choctaw Indians in Mississippi, their intention to remain in Mississippi and become citizens of the United States?
- A I don't know.
- Q Have any of your ancestors ever claimed or received any land in Mississippi under the provisions of the Fourteenth Article of the Treaty of 1830? A I don't know.
- Q Are there any additional statements you desire to make in support of this application? A No.
- Q Have you any documentary evidence, affidavits, written testimony of any description, copies of records, deeds or patents, or any other proper papers showing that any of your ancestors were in the year 1830, when the Treaty of Dancing Rabbit Creek was made, recognized members of the Choctaw tribe of Indians, or that any of them ever complied, or attempted to comply, with the provisions of the Fourteenth Article of the Treaty of 1830, or ever received any benefits under that Article of that Treaty? A No.

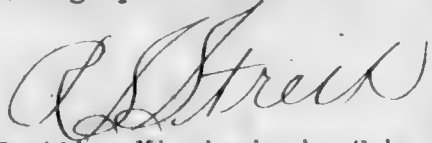
(This applicant has every appearance and characteristic of a Choctaw Indian; she does not speak the English language, her testimony having been translated to the Commission by a sworn Choctaw Interpreter.)

The decision of the Commission as to the application made by you at this time for the identification of yourself and minor child as Mississippi Choctaws will be determined at the earliest possible date, and a report of the same made to the Secretary

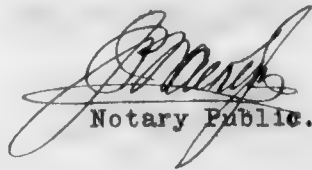
Lucie Phillip, et al., #3.

of the Interior, conformable to the provisions of the Twenty First Section of the Act of Congress of June 28, 1898, and a copy of the same will be mailed to you at your post office address as given in your testimony.

R. S. Streit, being first duly sworn, upon his oath states that as stenographer to the Commission to the Five Civilized Tribes, he reported in full all proceedings had in the above entitled cause on the 3rd day of May, 1901, and that the above and foregoing is a full, true and correct translation of his stenographic notes of said proceedings on said date.



Subscribed and sworn to before me at Meridian, Mississippi, this 30th day of May, 1901.



Notary Public.

State of Mississippi)
County of Winn) SS

On this 9th day of July, 1903, personally
appeared before me, the undersigned authority, a duly appointed
Member Board Supervisors said County
and acting Notary Public, J. G. McCall, who upon his
oath states that he will well and truthfully interpret from English
into Choctaw the questions propounded to the witness and from
Choctaw into English the answers given by said witness to said
questions.

Subscribed and sworn to before me at Cuscuta, Mississippi
this 9th day of January, 1903.

R. L. Cochran
Notary Public.

State of Mississippi }
County of Waltham } SS

On this 9th day of February, 1903, personally
appeared before me, the undersigned authority, a duly appointed
Member Board Supervisors in said County
and acting Notary Public, Lucy Phillip, who having been first duly
sworn deposes and says:

Q Give your name, age and postoffice address.

Answer.

*I am about 40 years
at Pottsville Waltham County Miss*

Q

Are you the identical Lucy Phillip who on May 3, 1901, appear-
ed before the Commission to the five Civilized Tribes at Phil-
adelphia, Mississippi, and there made application for the
identification of yourself and minor child, Lesa Phillip, as
Mississippi Choctaws?

Ans.

I am

Q Is your child, Lesa, still living? A

Yes

Q What is the name of the father of your child, Lesa?

Ans.

Benjamin Phillip

Q Was he possessed of Choctaw blood and if so in what degree?

Ans.

Full blood

Q Give the names of the paternal grandparents of your child, Lesa

Ans.

*John Phillip and Mary Ann Phillip
of Pottsville Waltham County Miss*

Q Were they possessed of Choctaw blood? If so, state the degree
possessed by each.

Ans.

Full blood

Subscribed and sworn to before me at Pottsville, Mississippi,
on this 9th day of February, 1903.

Lucy Phillip
Notary Public.

247

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

--O--

In the matter of the application of Lucie Phillip, et al.,
for identification as Mississippi Choctaws, W.C.R. 2021.

---: D E C I S I O N :---

It appears from the record herein that application for
identification as Mississippi Choctaws was made to this Commission
on May 3, 1901, by Lucie Phillip for herself and her minor child,
Lesa Phillip, under the following provision of the act of Congress
approved June 28, 1898 (30 Stats., 495):

"Said Commission shall have authority to determine the
identity of Choctaw Indians claiming rights in the Choctaw
lands under article fourteen of the treaty between the United
States and the Choctaw Nation, concluded September twenty-
seventh, eighteen hundred and thirty, and to that end may ad-
minister oaths, examine witnesses, and perform all other acts
necessary thereto and make report to the Secretary of the
Interior."

From the evidence submitted in support of said applica-
tion, it appears that both of the applicants are full-blood Missis-
sippi Choctaw Indians.

Section forty-one of the act of Congress entitled "An Act

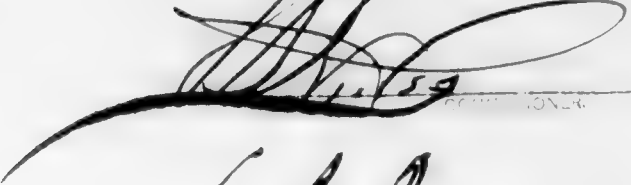
to ratify and confirm an agreement with the Choctaw and Chickasaw tribes of Indians, and for other purposes," approved July 1, 1902, (32 Stats., 641), and ratified by the Choctaw and Chickasaw Nations September 25, 1902, provides as follows:

"The application of no person for identification as a Mississippi Choctaw shall be received by said Commission after six months subsequent to the date of the final ratification of this agreement and in the disposition of such applications all full-blood Mississippi Choctaw Indians and the descendants of any Mississippi Choctaw Indians whether of full or mixed blood who received a patent to land under the said fourteenth article of the said treaty of eighteen hundred and thirty who had not moved to and made bona fide settlement in the Choctaw-Chickasaw country prior to June twenty-eighth, eighteen hundred and ninety-eight, shall be deemed to be Mississippi Choctaws, entitled to benefits under article fourteen of the said treaty of September twenty-seventh, eighteen hundred and thirty, and to identification as such by said Commission, but this direction or provision shall be deemed to be only a rule of evidence and shall not be invoked by or operate to the advantage of any applicant who is nor a Mississippi Choctaw of the full blood, or who is not the descendant of a Mississippi Choctaw who received a patent to land under said treaty, or who is otherwise barred from the right of citizenship in the Choctaw Nation, all of said Mississippi Choctaws so enrolled by said Commission shall be upon a separate roll."

It is, therefore, the opinion of this Commission that Lucie Phillip and Lesa Phillip should be identified as Mississippi Choctaws, and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

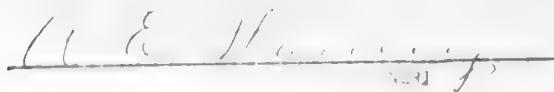

Chairman.


C. B. Anderson

Muskogee, Indian Territory,

JUL 21 1903

7


W. E. Harrison

COMMISSIONERS

HENRY L. DAWES,
TAMM BIXBY,
THOMAS B. NEEDLES,
C. R. BRECKINRIDGE.

ALLISON L. AYLESWORTH,
SECRETARY

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

REFER IN REPLY TO THE FOLLOWING

MISSISSIPPI CHOCTAW-CHICKASAW ENROLLMENT DIVISION

Muskogee, Indian Territory, January 20, 1903.

William O. Beall,

Clerk in Charge Choctaw-Chickasaw Enrollment Division,

Dear Sir:-

There has been transmitted to the Mississippi Choctaw Legal Department for the preparation of a decision, an application numbered M.C.R. 2021, being that of Lucie Phillip et al., wherein she makes application for the identification of herself and her minor child, Lesa, as Mississippi Choctaws. This application was transmitted as a full blood case, but the testimony fails to show that the minor child applied for or was born of a full blood father.

It is therefore impossible to prepare a decision identifying the applicants as full bloods and for such action as may be deemed necessary the record is returned to the files.

Respectfully,

D. W.

Myers
1/21/03

COMMISSIONERS

HENRY L. DAWES,
TAMS WIXBY,
THOMAS B. NEEDLES,
C. R. BRECKINRIDGE.

ALLISON L. AYLESWORTH,
SECRETARY

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

REFER IN REPLY TO THE FOLLOWING

M C R 2021

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, January 23, 1903.

Lucy Phillip,

Cushtusa, Mississippi.

Dear Madam:

It appears from the records of the Commission that on May 3, 1901, you appeared at Philadelphia, Mississippi, and there made application for the identification of yourself and your minor child, Lesa Phillip, as Mississippi Choctaws, stating at that time that you were a full blood Choctaw Indian. You failed to state whether or not your deceased husband, Buckhorn Phillip, the father of your child, Lesa Phillip, was a full blood Choctaw Indian. As this information is necessary in order for the Commission to render a decision in your application relative to your child, an affidavit in interrogatory form is herewith enclosed you and you are requested to take same before a Notary Public and answer the questions therein contained, after doing which you will return said affidavit to this Commission. An addressed envelope is also enclosed wherein you can return said affidavit without payment of postage

Respectfully,

Enclosure Hh-2
Addressed Envelope
Register.



Acting Chairman.

M.C.R. 2021

COPY.

Muskogee, Indian Territory, July 21, 1903.

Lucie Phillip,

Cushtusa, Mississippi.

Dear Madam:

Enclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered July 21, 1903, identifying you and your minor child, Lese Phillip as Mississippi Choctaw Indians under the provisions of Section 41 of the Act of Congress approved July 1, 1902, (32 Stats., 641).

If you remove to the Choctaw-Chickasaw country, Indian Territory, before January 21, 1904, you will have six months from that date or until July 21, 1904, within which to make proof of such removal and settlement at the office of the Commission at Atoka, Choctaw Nation or Tishomingo, Chickasaw Nation.

Respectfully,

A. G. R. E. D. N.

Commissioner in Charge.

Registered.

Enc. 2021.

Muskogee, Indian Territory, July 21, 1903.

Mansfield, McMurray & Cornish,
Attorneys for the Choctaw and Chickasaw Nations,
South McAlester, Indian Territory.

Gentlemen:

Enclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered July 21, 1903, identifying Lucie Phillip and her minor child, Less Phillip, as Mississippi Choctaw Indians under the provisions of Section 41 of the Act of Congress approved July 1, 1902, (32 Stats., 641).

You are hereby advised that you will be allowed fifteen days from the date hereof, in which to file with this Commission such protest as you desire to make against the action of the Commission in identifying the said Lucie Phillip and her child as Mississippi Choctaws and make satisfactory proof of service of said protest upon the applicants herein.

If you fail to file such protest within the time allowed, the names of the applicants herein will be placed upon the schedule of duly identified Mississippi Choctaws now being prepared by this Commission.

Respectfully,
(SIGNED):

Registered.
Enc. 2021.

Commissioner in Charge.

No

For Identification as a Mississippi Choctaw.

Date May 3, 1901

Name Lucie Phillip

Age 42 Blood full.

Post Office, Cushtusa, Miss.

Father: John Lott f.b. d

Mother: El^hnormah "" d

Claims through both parents.

Husband

Buckhorn Phillip d

Children

Lesa Phillip 13

girl

see M. C. C. file d No.
188.

For rep and child

Stenographer R A Mux

Lucie Philip et al

Choctaw MCR 2022

Moss Billy

MCR 2022

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

The within record is in the matter of
the application of Moss Billy, et al., for identification as
Mississippi Choctaws,
M.C.R. 2022.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

In the matter of the application of Moss Billy, et al.,
for identification as Mississippi Choctaws, M.C.R. 2022.

I N D E X

Original application of Moss Billy, et al., to the
Dawes Commission for identification as Mississippi
Choctaws

Page

1

Decision of the Commission identifying Moss Billy
et al., as Mississippi Choctaws

4

Department of the Interior.
Commission to the Five Civilized Tribes,
Philadelphia, Mississippi, May 3, 1901.

In the matter of the application of Moss Billy for the identification of himself, his wife and one minor child as Mississippi Choctaws.

Moss Billy, having been first duly sworn, upon his oath testified as follows: (Tom Tubbee, Official Interpreter.)

Examination by the Commission.

- Q What is your name? A Moss Billy.
Q What is your age? A 23.
Q What is your post office address? A Tucker, Mississippi.
Q How long have you lived at Tucker? A Lived there all my life.
Q What is your father's name? A Young Billy.
Q Is he a full blood? A Yes.
Q Is he living? A Yes.
Q What is your mother's name? A Isbey.
Q Was she a full blood? A Yes.
Q She is dead is she? A Yes.
Q Are you a full blood? A Yes.
Q You claim through both your parents? A Yes.
Q Have your parents, through whom you claim the right to identification as a Mississippi Choctaw, ever been recognized in any manner or enrolled as members of the Choctaw tribe of Indians by the Choctaw tribal authorities, or by the authorities of the United States? A No.
Q Are you married? A Yes.
Q What is your wife's name? A Ada.
Q Is she a full blood? A Yes.
Q How old is Ada? A 18.
Q What is Ada's father's name? A John Alman.
Q Is he living? A No, dead.
Q Full blood? A Yes.
Q What is your wife's mother's name? A Mollie Bob.
Q Is she a full blood? A Yes.
Q Is she living? A Yes.
Q Does your wife claim her Choctaw blood through both father and mother? A Yes.
Q When was you married to her? A Nearly two years.
Q Were you married under a license or according to the Choctaw custom? A Choctaw custom.
Q Have your wife's parents, through whom you claim for her the right to identification as a Mississippi Choctaw, ever been recognized in any manner or enrolled as members of the Choctaw tribe of Indians, by the Choctaw tribal authorities or by the authorities of the United States? A My wife's father died in the Indian Territory.
Q What about your wife's mother, where did she die? A She's living.
Q Where is she living? A In Neshoba County.
Q Have you any children you want to make application for? A One.
Q What is the name of your child? A Hullison.
Q Is that a boy? A Yes.
Q How old is he? A About a year old.
Q Is Ada Billy, the mother of Hullison? A Yes.
Q You are the father? A Yes.

Moss Billy, et al., #2.

- Q The child is living with you at your home? A Yes.
- Q Is your name, or the name of your wife, or the name of your child on any of the Choctaw tribal rolls of the Choctaw Nation in Indian Territory? A No.
- Q Have you ever made application for yourself, your wife or your child to the Choctaw tribal authorities in Indian Territory, to be enrolled as a member of the tribe? A No.
- Q Did you, or anyone for you, or your wife or child, in 1896, make application to the Commission to the Five Civilized Tribes for citizenship in the Choctaw Nation, under the Act of Congress of June 10, 1896? A No.
- Q Have you ever been admitted, or your wife or child, to citizenship in the Choctaw Nation by either the Choctaw tribal authorities, the Commission to the Five Civilized Tribes, or by the United States Court in Indian Territory? A No.
- Q Have you ever made application before this time to either the Choctaw authorities or to the authorities of the United States to be admitted or enrolled as a citizen of the Choctaw Nation?
- A Yes.

The records of the Commission show that on January 30, 1899, this applicant appeared before the Commission to the Five Civilized Tribes at Philadelphia, Mississippi, and made application for the identification of himself, his wife, Ada Billy, as Mississippi Choctaws, their names appearing upon Mississippi Choctaw Card, Field Number 120; also, upon page 50 of the Schedule of Mississippi Choctaws, which accompanied the report of March 10, 1899, of the Commission to the Five Civilized Tribes to the Secretary of the Interior, as to the identity of Choctaw Indians residing in Mississippi, claiming rights in the Choctaw lands under the provisions of the Fourteenth Article of the Treaty of 1830, being numbers 422 and 423, respectively, thereon.

- Q Except the appearance made two years ago, is this the first appearance you have ever made? A Yes.
- Q Is it now your purpose to make application for the identification of yourself, wife and child as Mississippi Choctaws? A Yes.
- Q Do you claim your rights as beneficiaries under Article Fourteen of the Treaty of 1830? A Yes.
- Q Have you ever received any benefits as Choctaw Indians, either you or your wife? A No.
- Q Have any of your ancestors, or your wife's ancestors ever received any benefits as Choctaw Indians? A No.
- Q Do you know the name of any of your ancestors, or your wife's ancestors, who were residents of the old Choctaw Nation in Mississippi and Alabama, and acknowledged members of the Choctaw tribe of Indians in 1830, when the treaty of Dancing Rabbit Creek was entered into between the United States Government and the Choctaw tribe of Indians? A No.
- Q Did any of your ancestors, or any of your wife's ancestors go from Mississippi or Alabama to the Territory when the other Indians went there from 1833 to 1838? A I don't know.
- Q Did any of your ancestors, or your wife's ancestors, within six months from the date of the ratification of the Treaty of 1830, tell the United States Indian Agent, that they preferred to stay in Mississippi and take land, rather than go to the Territory?
- A I don't know.

Moss Billey, et al., #3.

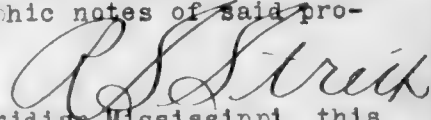
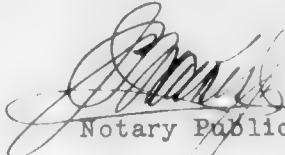
- Q Have any of your ancestors, or your wife's ancestors ever claimed or received any land in Mississippi under Article Fourteen of the Treaty of Dancing Rabbit Creek? A Don't know.
- Q Are there any additional statements you want to make in support of your application? A No.
- Q Have you any documentary evidence, affidavits, written testimony of any description, copies of records, deeds or patents, or any other proper papers showing that your ancestors, or your wife's ancestors were in 1830, when the Treaty of Dancing Rabbit Creek was made, recognized members of the Choctaw tribe of Indians, or that any of them ever complied or attempted to comply with the provisions of the Fourteenth Article of the Treaty of 1830, or ever received any benefits under that article of that Treaty?
- A No.

(This applicant has all the characteristics and every appearance of a full blood Choctaw Indian, his testimony having been given through a sworn Choctaw Interpreter; his knowledge of the English is very limited.)

The decision of the Commission as to the application made by you at this time for the identification of yourself, your wife and minor child, as Mississippi Choctaws will be determined at the earliest possible date, and a report of same made to the Secretary of the Interior, conformable to the provisions of the Twenty First Section of the Act of Congress of June 28, 1898, and a copy of the same will be mailed to you to your post office address as given in your testimony.

R. S. Streit, having been first duly sworn, upon his oath states that as stenographer to the Commission to the Five Civilized Tribes, he reported in full all proceedings in the above entitled cause on the 3rd day of May, 1901, and that the above and foregoing is a full, true and correct translation of his stenographic notes of said proceedings upon said date.

Subscribed and sworn to before me at Meridian, Mississippi, this 30th day of May, 1901.



Notary Public.

DEPARTMENT OF THE INTERIOR

COMMISSION TO THE FIVE CIVILIZED TRIBES

CW
In the matter of the application of Moss Billy, et al.,
for identification as Mississippi Choctaws, M.C.R. 2022.

----D E C I S I O N ----

It appears from the record herein that application for identification as Mississippi Choctaws was made to this Commission on May 3, 1901, by Moss Billy for himself, his wife Ada and his minor child, Hullison Billy, under the following provision of the Act of Congress approved June 28, 1898(30 Stats. 495):

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto and make report to the Secretary of the Interior."

From the evidence submitted in support of said application it appears that all the applicants are full blood Mississippi Choctaw Indians.



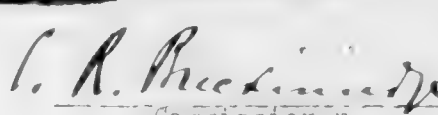
Section forty-one of the Act of Congress entitled "An Act to ratify and confirm an agreement with the Choctaw and Chickasaw

tribes of Indians, and for other purposes" approved July 1, 1902, (32 Stats. 641) and ratified by the Choctaw and Chickasaw Nations September 25, 1902, provides as follows:

"The application of no person for identification as a Mississippi Choctaw shall be received by said Commission after six months subsequent to the date of the final ratification of this agreement and in the disposition of such applications all full-blood Mississippi Choctaw Indians and the descendants of any Mississippi Choctaw Indians whether of full or mixed blood who received a patent to land under the said fourteenth article of the said treaty of eighteen hundred and thirty who had not moved to and made bona fide settlement in the Choctaw-Chickasaw country prior to June twenty-eighth, eighteen hundred and ninety-eight, shall be deemed to be Mississippi Choctaws, entitled to benefits under article fourteen of the said treaty of September twenty-seventh, eighteen hundred and thirty, and to identification as such by said Commission, but this direction or provision shall be deemed to be only a rule of evidence and shall not be invoked by or operate to the advantage of any applicant who is not a Mississippi Choctaw of the full blood, or who is not the descendant of a Mississippi Choctaw who received a patent to land under said treaty, or who is otherwise barred from the right of citizenship in the Choctaw Nation, all of said Mississippi Choctaws so enrolled by said Commission shall be upon a separate roll."

It is, therefore, the opinion of this Commission that Moss Billy, Ada Billy and Fullison Billy should be identified as Mississippi Choctaws, and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES


Acting Chairman

Commissioner

C. R. Bucklin
Commissioner

Waskohee, Indian Territory

FEB 14 1903

COPY.

M C R 2022

Muskogee, Indian Territory, February 21, 1903

Mansfield, McMurray & Cornish,

Attorneys for the Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:

Enclosed herewith you will find a copy of the decision of the Commission rendered February 14, 1903, identifying Moss Billy, his wife Ada Billy, and minor child Hullison Billy as Mississippi Choctaw Indians under the provisions of the forty-first section of the act of Congress approved July 1, 1902, (32 Stats., 641) .

You are hereby advised that you will be allowed fifteen days from the date hereof, in which to file with this Commission such protest as you desire to make against the action of the Commission in identifying the said Moss Billy, his wife and minor child as Mississippi Choctaws, and make satisfactory proof of service of said protest upon the applicants herein.

If you fail to file such protest within the time allowed, the names of the applicants herein will be placed upon the schedule of duly identified Mississippi Choctaws now being prepared by this Commission.

Respectfully,

(SIGNED).

Tame Dixby.

Acting Chairman.

Register.
GR-encl-2022.

COPY.

M.C.R. 2022.

Muskogee, Indian Territory, March 11, 1903.

Moss Billy,

~~Tucker~~, Mississippi.

Remailed Atoka, I. T. Nov. 27, 1903.

Dear Sir:

Enclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered February 14, 1903, identifying yourself, your wife, Ada Billy, and your son, Hullison Billy, as Mississippi Choctaw Indians under the provisions of Section 41 of the Act of Congress approved July 1, 1902, (32 Stats., 641).

If you remove to the Choctaw-Chickasaw country, Indian Territory, before August 14, 1903, you will have six months from that date, or until February 14, 1904, within which to make proof of such removal and settlement at the office of the Commission at Atoka, Choctaw Nation, or Tishomingo, Chickasaw Nation.

Respectfully,

Tamc Dixby.

(SIGNED)

Chairman.

Registered.

Enc. 2022.

Moss Lilly et al.

2002

**COPY OF DECISION FORWARDED
APPLICANT**

MAR 11 1903

For Identification as a Mississippi Choctaw.

Date May 3, 1901
Name ^{OSS} ~~Mass~~ Billy

Age 23 Blood full

Post Office, Tuneser, Miss.

Father, Young Billy f. b. l.

Mother, Luby " f. b. l

Claims through both parents
wife ^{Ada} ~~Ela~~ Billy f. b. 18
Father - John Alman f. b. d
Mother - Mollie Bob, f. b. l

Children.

Kullion, boy f. b. 1.

see M. C. C. Fred No.
120

For ref. wife
and child.

Stenographer R. I. Strix.



DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED
FILED

JAN 1904

[Handwritten signature]
JAN 1904

CHAS. H. ...

48 1/2



Department of the Interior.

Commission to the Five Civilized Tribes.

MUSKOGEE, IND. TER.

OFFICIAL BUSINESS.

Penalty for private use, \$300.

Miss Billy

Atoka

JAN 5 1904

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES

FILED

MAY 11 1903



RECEIVED





Department of the Interior.

Commission to the Five Civilized Tribes,

MUSKOGEE, IND. TER.

OFFICIAL BUSINESS.

Penalty for private use, \$300.

Moss Filly,

~~Tucker~~, Mississippi.

Muskogee
Ind Ter



4547

Choctaw MCR 2023

Nancy Jane Bob

MCR 2023

SS.-CHOCTAW
ENROLLMENT

R-2023

Nancy Jane Bob etal

IDENTIFIED

Decision Rendered April 26, 1903

Notice of Decision Forwarded Attorneys for
Choctaw and Chickasaw Nations. April 27, 1903

Copy of Decision Forwarded Applicant
May 5, 1903

10-21-03 P. O. Nos. 1, 2, 4, 5 Atoka, I. T.
No. 3 Herman Bob, Dead

R-2023

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

--C--

In the matter of the application of Nancy Jane Bob, et al.,
for identification as Mississippi Choctaws, M.C.R. 2023.

--: I N D E X :--

	(Page)
Original application of Nancy Jane Bob, et al., to the Dawes Commission for identification as Mississippi Choctaws-----	1
Affidavit of Nancy Jane Bob-----	4
Decision of the Commission identifying said ap- plicants as Mississippi Choctaws-----	6

-----C-----

Department of the Interior.
Commission to the Five Civilized Tribes,
Philadelphia, Mississippi, May 3, 1901.

In the matter of the application of Nancy Jane Bob for the identification of herself and four minor children as Mississippi Choctaws.

Nancy Jane Bob, having been first duly sworn, upon her oath testified as follows: (Jim Polk, duly sworn Interpreter.)

Examination by the Commission.

- Q What is your name? A Nancy Jane Bob.
Q What is your age? A 42.
Q What is your post office address? A Engine, Mississippi.
Q How long have you lived in Mississippi? A All my life.
Q What is your father's name? A Wallace Porter.
Q Full blood? A Yes.
Q Living? A Died.
Q What is your mother's name? A Winnie Solomon.
Q Full blood? A Yes.
Q Living? A Yes.
Q Are you a full blood? A Yes.
Q Do you claim through both parents? A Yes.
Q Have your parents, through whom you claim your right to identification as a Mississippi Choctaw, ever been recognized in any manner or enrolled as members of the Choctaw tribe of Indians by the Choctaw tribal authorities, or by the authorities of the United States? A No.
Q Are you married? A I am widow.
Q What was your husband's name? A Ia-nubbee Bob.
Q Is he dead? A Yes.
Q You have not married again? A No.
Q Were you married before you married Ia-nubbee? A I married a man named Houston.
Q Have you any children you want to make application for? A Four.
Q What are their names and ages? A Willie Houston, 20; Herman Bob, 9; Woodward Bob 8; Lena Bob, 7.
Q Was the first husband the father of Willie Houston? A Yes.
Q Ia-nubbee the father of Herman, Woodward and Lena? A Yes.
Q Are they living with you? A Yes.
Q Is your name or the name of your children on any of the tribal rolls of the Choctaw Nation in Indian Territory? A I don't know.
Q Have you ever made application for yourself and children to the Choctaw tribal authorities in Indian Territory to be enrolled as members of that tribe? A I don't know.
Q Did you, or anyone for you, or for your children, in 1896, make application to the Commission to the Five Civilized Tribes for citizenship in the Choctaw Nation under the Act of Congress of June 10, 1896? A No.
Q Have you ever been admitted to citizenship in the Choctaw Nation by any authorities whatsoever? A No.
Q Have you ever made application before this time, to either the Choctaw tribal authorities or the authorities of the United States to be admitted or enrolled as a citizen of the Choctaw Nation?
A Yes, two years ago.

Nancy Jane Bob, et al., #2.

The records of the Commission show that on January 31, 1899, Ia-nubbee Bob appeared before the Commission at Philadelphia, Mississippi, and made application for the identification of himself, his wife Nancy Jane Bob, a child named Watkin, Willie Houston, Herman Bob, Woodward Bob and Lena Bob, as Mississippi Choctaws; their names appear upon Mississippi Choctaw Card, Field Number 192; The names of this applicant and her children also appear upon page 59 of the Schedule of Mississippi Choctaws, which accompanied the report of March 10, 1899, of the Commission to the Five Civilized Tribes to the Secretary of the Interior, as to the identity of Choctaw Indians residing in Mississippi, claiming rights in the Choctaw lands under the provisions of the Fourteenth Article of the Treaty of Dancing Rabbit Creek, being Numbers 658, 660, 661, 662 and 663, respectively, thereon.

- Q Is this the first application you have made of any kind, except two years ago? A Yes.
- Q Is it now your purpose to make application for identification as Mississippi Choctaws for yourself and children? A Yes.
- Q Do you claim your rights as beneficiaries under the provisions of the Fourteenth Article of the Treaty of 1830? A Yes sir.
- Q Have you or your ancestors ever received any benefits as Choctaw Indians? A I never did, but my mother has.
- Q What did your mother ever get from the Government? A I don't know.
- Q Did any of your grand parents, or your mother's mother, ever get any land? A I don't know.

Reference is here made to the application just made before the Commission by Winnie Solomon, the mother of this applicant, in which she introduced in evidence a patent signed by James K: Polk, President of the United States, dated March 30, 1846, conveying to Low-ah-ho-ka, a claimant to land under the Fourteenth Article of the Treaty of Dancing Rabbit Creek, the East half of Section 18, containing 319.79 acres, in Township 8, of Range 13 East of the Choctaw Meridian, in the district of lands subject to sale at Columbia, Mississippi.

- Q Was your mother's name Low-ah-ho-ka? A Yes.

On page 552 of Volume One of the Record of the Court of Claims in case Number 12742, the Choctaw Nation of Indians versus the United States, in Abstract One, which accompanied the report of Commissioners Tyler, Gaines and Rush, appointed under the Act of Congress approved June 23, 1842, entitled, "An Act to provide for the satisfaction of claims arising under the Fourteenth Article of the Treaty of Dancing Rabbit Creek," appears the name of Low-ah-ho-ka, as a child over ten years of age, in the family of Is-te-ubbee, case Number 388, it appearing that the East half

Nancy Jane Bob, et al., #3.

of Section 18, Township 8 North, Range 13 East, was awarded to the said Low-ah-ho-ka. Opposite this case appears the following notation: "Attempt at signification of intention to remain, and continued residence for five years after date of treaty proven by Jefferson. Comr's allow the claim and award land."

- Q Are there any additional statements you want to make in support of your application? A No.
- Q Have you any documentary evidence, affidavits, written testimony of any description, copies of records, deed or patents, or any other proper papers showing that any of your ancestors were in the year 1830, when the treaty of Dancing Rabbit Creek was entered into, recognized members of the Choctaw tribe of Indians, of that any of them ever complied or attempted to comply with the provisions of the Fourteenth Article of that Treaty, or ever received any benefits thereunder? A No.

(This applicant has every appearance and characteristic of a full blood Indians; she speaks the Choctaw language, but does not speak the English language, the examination having been conducted through a sworn Choctaw interpreter.)

The Decision of the Commission as to the application made by you at this time for the identification of yourself and minor children as Mississippi Choctaws, will be determined at the earliest possible date, and a report the same made to the Secretary of the Interior, conformable to the provisions of the ~~Fourteenth Article of the Treaty~~ of the Twenty First Section of the Act of Congress of June 28, 1898, and a copy of the same will be mailed to you at your post office address as given in your testimony.

R. S. Streit, being first duly sworn, upon his oath states that as stenographer to the Commission to the Five Civilized Tribes, he reported in full all proceedings had in the above entitled cause on the 3rd day of May, 1901, and that the above and foregoing is a full, true and correct translation of is stenographic notes of said proceedings upon said date.

R. S. Streit

Subscribed and sworn to before me at Meridian, Mississippi this 31st day of May, 1901.

[Signature]
Acting Chairman.

~~HCRA~~

Mer 2023.

State of Mississippi

Interpreted by

Comptroller of the Public Lands
Department of the Interior.

Department of the Interior.
Commission to the Five Civilized Tribes.

--o--

In the matter of the application of Nancy Jane Bob, et al., for
identification as Mississippi Choctaws, M C R 2023.

--o--

State of Mississippi)
County of Neshoba)^{SS}

Personally appeared before me, J. L. Robinson,
a duly appointed and acting ^{Justice of the Peace} ~~Notary Public~~ within and for the county
of Neshoba, and state of Mississippi, Nancy Jane Bob,
who, having been first by me duly sworn, upon her oath testifies as
follows:

Q State your name, age and post office address?

A Nancy Jane Bob 44 years Engine

Q Are you the identical Nancy Jane Bob who on May 3, 1901,
appeared before the Commission at Philadelphia, Mississippi, and made
application for identification as a Mississippi Choctaw?

A I am

Q At that time, did you also make application for your minor
children, Willie Houston, and Herman, Woodward and Lena Bob?

A I did

Q What was the full name of the father of Willie Houston?

A Houston Tom nubee

Q Was he a Choctaw Indian, and if so, how much Choctaw blood
was he possessed of?

A Full blood

Q Was Ia-nubbee Bob, the father of your other children mention-
ed above, a full blood Choctaw Indian, or if not how much Choctaw
blood was he possessed of?

A Full blood

Witnesses
to mark:

J. A. Smith

W. A. Smith

Nancy Jane Bob ^{her}
(Signature of Applicant.)

Subscribed and sworn to before me at Engine, Mississippi
this 7th day of March, 1903.

4

J. L. Robinson J. P.
Notary Public.

Department of the Interior.
Commission to the Five Civilized Tribes.

---o---

State of Mississippi)
County of _____)

Interpreter's Oath.

I, Lebanon Smith, do solemnly swear that
I will well and truly interpret from English into Choctaw the ques-
tions propounded to the applicant, Nancy Jane Bob, and from Choctaw
into English the answers given by said applicant to said questions.

Witnesses to Mark:

Lebanon Smith

Subscribed and sworn to before me this 7th day of March
1903, at Engle, Mississippi.

J. L. Robinson
J. P.

Notary Public.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

--o--

In the matter of the application of Nancy Jane Bob, et al.,
for identification as Mississippi Choctaws, H.C.R. 2023.

---: D E C I S I O N :---

It appears from the record herein that application for identification as Mississippi Choctaws was made to this Commission on May 3, 1901, by Nancy Jane Bob for herself and her four minor children, Willie Houston, and Herman, Woodward and Lena Bob, under the following provision of the act of Congress approved June 28, 1898 (30 Stats., 495):

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses, and perform all other acts necessary thereto and make report to the Secretary of the Interior."

From the evidence submitted in support of said application, it appears that all the applicants are full-blood Mississippi Choctaw Indians.

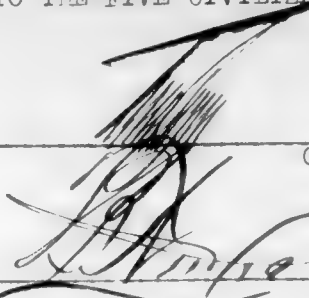
Section forty-one of the act of Congress entitled "An Act To ratify and confirm an agreement with the Choctaw and Chickasaw tribes of Indians, and for other purposes," approved July 1, 1902, (32 Stats., 641), and ratified by the Choctaw and Chickasaw Nations


September 25, 1902, provides as follows:

"The application of no person for identification as a Mississippi Choctaw shall be received by said Commission after six months subsequent to the date of the final ratification of this agreement and in the disposition of such applications all full-blood Mississippi Choctaw Indians and the descendants of any Mississippi Choctaw Indians whether of full or mixed blood who received a patent to land under the said fourteenth article of the said treaty of eighteen hundred and thirty who had not moved to and made bona fide settlement in the Choctaw-Chickasaw country prior to June twenty-eighth, eighteen hundred and ninety-eight, shall be deemed to be Mississippi Choctaws, entitled to benefits under article fourteen of the said treaty of September twenty-seventh, eighteen hundred and thirty, and to identification as such by said Commission, but this direction or provision shall be deemed to be only a rule of evidence and shall not be invoked by or operate to the advantage of any applicant who is not a Mississippi Choctaw of the full blood, or who is not the descendant of a Mississippi Choctaw who received a patent to land under said treaty, or who is otherwise barred from the right of citizenship in the Choctaw Nation, all of said Mississippi Choctaws so enrolled by said Commission shall be upon a separate roll."

It is, therefore, the opinion of this Commission that Nancy Jane Bob, Willie Houston, Herman Bob, Woodward Bob and Lena Bob should be identified as Mississippi Choctaws, and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.



Chairman.


C. R. Bucklin

Clerk.

Muskogee, Indian Territory,

APR 27 1903

M C R 2023.

Muskogee, Indian Territory, February 18, 1903.

Nancy Jane Bob,

Engine, Mississippi.

Dear Madam-

It appears from the records of the Commission that on May 3, 1901, you appeared before the Commission at Philadelphia, Mississippi, and there made application for the identification of yourself and your four minor children, Willie Houston, and Herman, Woodward and Lena Bob, as Mississippi Choctaws. From your testimony at that time, it appears that you are a full-blood Mississippi Choctaw Indian; that Willie Houston is the child of yourself and a former husband named Houston, and that Herman, Woodward and Lena Bob are children of yourself and Ianubbee Bob, now deceased, but it is not stated in your testimony whether or not your former husbands Houston and Ianubbee Bob were possessed of Choctaw blood.

In order that the Commission may be enabled to make proper disposition of your application, it is necessary that there be supplied some evidence of the amount of Choctaw blood possessed by Houston and Ianubbee Bob, if any, and for the purpose of obtaining this information in proper form, there is enclosed herewith a blank affidavit, in interrogatory form, and you are requested to take this affidavit before a notary public and answer under oath the questions propounded therein. For your convenience in returning this

N J B 2

affidavit to the Commission when properly executed, there is enclosed herewith an addressed envelope which requires no postage, and when executed this affidavit should be forwarded to the Commission without unnecessary delay.

This matter should receive your prompt attention, as no further steps can be taken in the matter of the application for the identification of yourself and children until the information requested is furnished.

Yours truly,

Acting Chairman.

Register.
Enclosure HCR-00.
Addressed Envelope.

M C R 2023

Muskogee, Indian Territory, March 25, 1903.

Nancy Bob,

Engine, Mississippi.

Dear Madam:

Receipt is hereby acknowledged of your affidavit in interrogatory form, relative to the amount of Choctaw blood possessed by you. Said affidavit has been filed with the record in your case.

Respectfully,

Chairman.

Muskogee, Indian Territory, April 9, 1903.

Nancy Bob,

Philadelphia, Mississippi.

Dear Madam:

Receipt is hereby acknowledged of your affidavit and that of the midwife, Winnie Solomon, relative to the birth of Mary Bob, infant child of Bobby and Nancy Bob, November 1, 1902.

Your attention is invited to the following provision of the act of Congress approved July 1, 1902, which was ratified by the citizens of the Choctaw and Chickasaw Nations September 25, 1902:

"The application of no person for identification as a Mississippi Choctaw shall be received by said Commission after six months subsequent to the date of the final ratification of this agreement."

Under the above legislation the Commission is now without authority to receive or consider the application of any person for identification as a Mississippi Choctaw.

Respectfully,

Chairman.

M.C.R. 2023.

COPY.

Muskogee, Indian Territory, April 27, 1903.

Mansfield, McMurray & Cornish,
Attorneys for the Choctaw and Chickasaw Nations,
South McAlester, Indian Territory.

Gentlemen:

Enclosed herewith you will find a copy of the decision of the Commission rendered April 27, 1903, identifying Nancy Jane Bob and her minor children Willie Houston, Herman Bob, Woodward Bob and Lena Bob as Mississippi Choctaw Indians under the provisions of the forty-first section of the act of Congress approved July 1, 1902 (32 Stats. 641).

You are hereby advised that you will be allowed fifteen days from the date hereof in which to file with this Commission such protest as you desire to make against the action of the Commission in identifying the said Nancy Jane Bob and children as Mississippi Choctaws, and make satisfactory proof of service of said protest upon the applicants herein.

If you fail to file such protest within the time allowed, the names of the applicants herein will be placed upon the schedule of duly identified Mississippi Choctaws now being prepared by this Commission.

Respectfully,

(SIGNED).

Tamc Birby.
Chairman.

Registered.
Enclosure 2023

M C R 2023

COPY.

Muskogee, Indian Territory, May 5, 1903.

Nancy Jane Bob,
Engize, Mississippi.

Dear Madam:

Enclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered April 27, 1903, identifying Nancy Jane Bob and her minor children Willie Houston, Herman Bob, Woodward Bob and Lena Bob as Mississippi Choctaw Indians under the provisions of Section 41 of the Act of Congress approved July 1, 1902, (32 Stats., 641).

If you remove to the Choctaw-Chickasaw country, Indian Territory, before October 27, 1903, you will have six months from that date, or until April 27, 1904, within which to make proof of such removal and settlement at the office of the Commission at Atoka, Choctaw Nation, or Tishomingo, Chickasaw Nation.

Respectfully,

(SIGNED).

Registered.

Enc. 2023

Tame Dixby
Chairman.

IN RE

Application for Enrollment of

INFANT CHILD

as a citizen of

..... Nation.

Approved

190

Commissioner.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the *Choctaw* Nation,
of *Mary Bob*, born on the *1st* day of *Nov*, *1902*
(Here insert name of child.)
Name of Father: *Bobby Bob*, a citizen of the *Choctaw* Nation.
Name of Mother: *Nancy Bob*, a citizen of the *Choctaw* Nation.
Post-office *Philadelphia Mississippi*

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,

INDIAN TERRITORY

State of Mississippi
I, *Nancy Bob*, on oath state that I am *Twenty Four*
years of age and a citizen, by *full blood* of the *Choctaw Indian* Nation;
that I am the lawful wife of *Bobby Bob*, who is a citizen, by
full blood Choctaw Indian Nation; that a *female* child was
(male or female.)
born to me on *1st* day of *Nov*, *1902*; that said child has been
named *Mary Bob*, and is now living.

WITNESSES TO MARK:

(Must be Two
Witnesses)

Subscribed and sworn to before me this

1st day of *April*

1903.

Nancy + Bob
Jefferson Simpson
J. H. Holland
J. C. Harrison J.P.
NOTARY PUBLIC

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,

INDIAN TERRITORY

State of Mississippi District,
I, *Spinnie Solomon*, a *Midwife*, on oath state that I
attended on Mrs. *Nancy Bob*, wife of *Bobby Bob*
on the *1st* day of *November*, *1902*; that there was born to her on
said date a *female* child; that said child is now living and is said to have been
(male or female.)
named *Mary Bob*.

WITNESSES TO MARK:

(Must be Two
Witnesses)

Subscribed and sworn to before me this

1st day of *April*

1903.

Spinnie + Solomon
Jefferson Simpson
J. H. Holland
J. C. Harrison J.P.
NOTARY PUBLIC

IN RE
THE DEATH OF

a citizen of the

Nation.

Approved

190

Commissioner.

**DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.**

In the matter of the death of Nancy Jane Bob
(Here insert name of deceased.)
a citizen of the Mississippi Choctaw Nation, who formerly resided at or near
Soper, Ind. Ter., and died on the 13th day of
June, 1905
(Here insert name of postoffice.)

AFFIDAVIT OF RELATIVE

UNITED STATES OF AMERICA, INDIAN TERRITORY,
Central DISTRICT.

I, Minnie Solomon, on oath state that I am 70
years of age and a citizen, by Mississippi Choctaw Nation;
that my postoffice address is Soper, Ind. Ter.; that I am
(Here insert name of postoffice.)
mother of Nancy Jane Bob
(State relationship: as the father, an uncle, a cousin, etc.) (Here insert name of deceased.)
who was a citizen, by Mississippi Choctaw Nation
and that said Nancy Jane Bob died on the 13th day of
June, 1905.
(Here insert name of deceased.)

WITNESSES TO MARK:

(Must Be Two
Witnesses.)

Subscribed and sworn to before me this

14th day of

May

1906

W. H. Martin

Notary Public.

AFFIDAVIT OF ACQUAINTANCE.

UNITED STATES OF AMERICA, INDIAN TERRITORY,
Central DISTRICT.

I, Walter Morris, on oath state that I am 30
years of age, and a citizen by Mississippi Choctaw Nation;
that my postoffice address is Nelson, Ind. Ter.;
(Here insert name of postoffice.)
that I was personally acquainted with Nancy Jane Bob
(Here insert name of deceased.)
who was a citizen, by Mississippi Choctaw Nation
and that said Nancy Jane Bob died on the 13th day of
June, 1905.
(Here insert name of deceased.)

WITNESSES TO MARK:

(Must Be Two
Witnesses.)

Subscribed and sworn to before me this

14th day of

May

1906

W. H. Martin

Notary Public.

For Identification as a Mississippi Choctaw.

Date May 3. 1901

Name Nancy Jane Bob.

Age 42 Blood full

Post Office, ~~Engle~~ ^{Engine} Miss.

Father: Wallace Porter f.b. d

Mother: Winnie Solomon f.b. d

Claims through both parents.

Husband

Janubree Bob. f.b. d

See M. C. Cana. field No.
192. Testimony of (1914)

Children

~~Walter Bob.~~

Willie Houston. 20

Herman Bobb. 9

Woodward " 8

Lena " 7

for exp & children

Stenographer R. J. Strix

Choctaw MCR 2024

Winnie Bob

MCR 2024

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

The record herein is in the matter of the
application of Winnie Bob for identification as a Mississippi
Choctaw, M.C.R. 2024.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

In the matter of the application of Winnie Bob for
identification as a Mississippi Choctaw, M.C.R. 2024.

I N D E X

	Page
Original application of Winnie Bob to the Dawes Commission for identification as a Mississippi Choctaw	1
Decision of the Commission identifying Winnie Bob as a Mississippi Choctaw	4

2024

1

Department of the Interior.
Commission to the Five Civilized Tribes,
Philadelphia, Mississippi, May 3rd, 1901.

In the matter of the application of Winnie Bob for identification as a Mississippi Choctaw; said Winnie Bob being first duly sworn, upon her oath, testified as follows: (Tom Tubbee, official interpreter.)

Examination by the Commission.

- Q What is your name? A Winnie Bob.
- Q What is your age? A Fifty.
- Q What is your post office address? A Engine, Mississippi.
- Q How long have you lived in Mississippi? A All my life.
- Q Is your father living? A Dead.
- Q What was your father's name? A Bob.
- Q Any other name? A No.
- Q Did he have a Choctaw name? A Po-tubbee.
- Q Was it Ish-tem-po-tubbee? A Yes.
- Q Is your mother living? A Dead.
- Q What was her name? A Ste-mah-li.
- Q Were your father and mother both full bloods? A Yes.
- Q Did they always live in Mississippi? A Yes.
- Q You claim to be a full blood Choctaw? A Yes.
- Q Were either your father or mother ever recognized in any manner or enrolled as members of the Choctaw tribe of Indians by the Choctaw tribal authorities or by the United States authorities?
A I don't know.
- Q Are you married? A No.
- Q This application is for yourself only? A Yes.
- Q Is your name on any of the Choctaw tribal rolls in Indian Territory? A No.
- Q Did you ever make application to the Choctaw tribal authorities in Indian Territory to be enrolled as a member of that tribe?
A No.
- Q Did you, or any one for you, make application in the year 1896 to the Commission to the Five Civilized Tribes for citizenship in the Choctaw Nation? A No.
- Q Then you have never been admitted to citizenship in the Choctaw Nation by the Choctaw authorities, the Commission to the Five Civilized Tribes or by the United States Court in Indian Territory?
A No.
- Q Have you ever made application before this time to either the Choctaw tribal authorities or to the United States authorities to be enrolled or admitted as a citizen of the Choctaw Nation, or has anyone ever made such an application for you? A Yes, two years ago.
- Q Is the application two years ago the only one you ever made? A Yes.

The records of the Commission show that on January 31, 1899, application was made at Philadelphia, Mississippi, for the identification of this applicant as a Mississippi Choctaw; her name appearing upon Mississippi Choctaw card, Field Number 181, also upon page 58 of the Schedule of Mississippi Choctaws which accompanied the report of March 10, 1899, of the Commission to the Five Civilized Tribes to the Secretary of the Interior, as to the identity of Choctaw Indians residing in Mississippi, claiming rights

1

Winnie Bob, #2.

in the Choctaw lands under the provisions of the Fourteenth Article of the Treaty of Dancing Rabbit Creek, being number 624 thereon.

- Q Is it now your purpose to make application for identification as a Mississippi Choctaw? A Yes.
- Q Do you claim your right as a beneficiary under the provisions of the Fourteenth Article of the Treaty of Dancing Rabbit Creek?
- A Yes.
- Q Have you ever received any benefits as a Choctaw Indian? A No.
- Q Did any of your ancestors ever receive any benefits as Choctaw Indians? A Yes, got some.
- Q Which one of your ancestors? A Mammy.
- Q When and where did your mother ever receive any money from the Government? A In the Nation.
- Q When did your mother go to the Choctaw Nation? A I don't know; several years.
- Q How long did she stay out there? A I don't know.
- Q About how long? A About a year.
- Q About how long ago was it that your mother went out there? A About fifteen years.
- Q Did you go out with her? A Yes.
- Q Is that the only time that either your mother or you were out to the Choctaw Nation, Indian Territory? A Yes.
- Q How much money did you get out there? A I don't know, a little.
- Q Were any of your ancestors living here in the old Choctaw Nation in Mississippi and Alabama in the year 1830, when the Treaty of Dancing Rabbit Creek was made? A I don't know.
- Q Do you know whether any of your ancestors were recognized members of the Choctaw tribe of Indians at that time? A I don't know.
- Q Did the Government pay your expenses and your mother's expenses when you went out to the Choctaw Nation, or did you have to pay your own expenses? A I don't know - - got on the boat.
- Q Did any of your ancestors move from the Old Choctaw Nation in Mississippi and Alabama to the present Choctaw Nation in Indian Territory when the main body of the Choctaw tribe of Indians moved out there a few years after this treaty was made? A Yes.
- Q Did any of your ancestors within six months after the ratification of the treaty of Dancing Rabbit Creek, signify to the United States Indian Agent for the Choctaws here in Mississippi, their intention to remain in Mississippi and become citizens of the United States? A I don't know.
- Q Did any of your ancestors ever claim or receive any land in Mississippi as beneficiaries under the Fourteenth Article of the Treaty of Dancing Rabbit Creek? A I don't know.
- Q Did your father get some land here? A I don't know; he might have got it; I don't know.
- Q Do you know your mother's father's name? A I don't know.
- Q Do you know your mother's mother's name? A I don't know.
- Q Do you know the names of your father's father and mother? A No.
- Q Are there any additional statements you want to make at this time in support of your application? A No.
- Q Have you any documentary evidence, affidavits, written testimony of any description, copies of records, deeds or patents, or any other proper papers showing that any of your ancestors were recognized members of the Choctaw tribe of Indians in 1830, when the Treaty of Dancing Rabbit Creek was made, or that any of them ever complied or attempted to comply with the provisions of the Fourteenth Article of that Treaty or ever received any benefits there under? A No.

Winnie Bob, #3.

(This applicant has every appearance and characteristic of a full blood Indian; she does not speak the English language, the examination having been conducted entirely through a sworn Choctaw interpreter.)

The decision of the Commission as to the application made by you at this time for identification as a Mississippi Choctaw, will be determined at the earliest possible date, and a report of the same made to the Secretary of the Interior conformable to the provisions of the Twenty First Section of the Act of Congress of June 28, 1898, and a copy of the same will be mailed to you at your post office address as given in your testimony.

R. S. Streit, being first duly sworn, upon his oath states that as stenographer to the Commission to the Five Civilized Tribes, he reported in full the proceedings had in the above entitled cause on the 3rd day of May, 1901, and that the above and foregoing is a full, true and correct translation of his stenographic notes of said proceedings on said date.

Subscribed and sworn to before me at Meridian, Mississippi, this 24th day of May, 1901.

R. S. Streit
J. M. [Signature]
Notary Public.

Civil

Department of the Interior
COMMISSION TO THE FIVE CIVILIZED TRIBES

In the matter of the application of Winnie Bob for
identification as a Mississippi Choctaw, M.C.R. 2024,

---- D E C I S I O N ----

It appears from the record herein that application for
identification as a Mississippi Choctaw was made to this Commission
on May 3, 1901, by Winnie Bob for herself, under the following
provision of the act of Congress approved June 28, 1898(30 Stats.
495):

"Said Commission shall have authority to determine the
identity of Choctaw Indians claiming rights in the Choctaw
lands under article fourteen of the treaty between the United
States and the Choctaw Nation, concluded September twenty-
seventh, eighteen hundred and thirty, and to that end may
administer oaths, examine witnesses and perform all other acts
necessary thereto and make report to the Secretary of the
Interior."

From the evidence submitted in support of said application
it appears that the applicant is a full blood Mississippi Choctaw
Indian.

Section forty-one of the Act of Congress entitled "An Act
to ratify and confirm an agreement with the Choctaw and Chickasaw
tribes of Indians, and for other purposes" approved July 1, 1902 ,

(32 Stats. 841) and ratified by the Choctaw and Chickasaw Nations September 25, 1902, provides as follows:

"The application of no person for identification as a Mississippi Choctaw shall be received by said Commission after six months subsequent to the date of the final ratification of this agreement and in the disposition of such applications all full-blood Mississippi Choctaw Indians and the descendants of any Mississippi Choctaw Indians whether of full or mixed blood who received a patent to land under the said fourteenth article of the said treaty of eighteen hundred and thirty who had not moved to and made bona fide settlement in the Choctaw-Chickasaw country prior to June twenty-eighth, eighteen hundred and ninety-eight, shall be deemed to be Mississippi Choctaws, entitled to benefits under article fourteen of the said treaty of September twenty-seventh, eighteen hundred and thirty, and to identification as such by said Commission, but this direction or provision shall be deemed to be only a rule of evidence and shall not be invoked by or operate to the advantage of any applicant who is not a Mississippi Choctaw of the full blood, or who is not the descendant of a Mississippi Choctaw who received a patent to land under said treaty, or who is otherwise barred from the right of citizenship in the Choctaw Nation, all of said Mississippi Choctaws so enrolled by said Commission shall be upon a separate roll."

It is, therefore, the opinion of this Commission that Winnie Bob should be identified as a Mississippi Choctaw, and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES


Acting Chairman


Commissioner


Commissioner

Muskogee, Indian Territory

FEB 14 1903

M C R 2024

COPY.

Muskogee, Indian Territory, February 21, 1903.

Mansfield, McMurray & Cornish,

Attorneys for the Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:

Enclosed herewith you will find a copy of the decision of the Commission rendered February 14, 1903, identifying Winnie Bob as a Mississippi Choctaw Indian under the provisions of the forty-first section of the act of Congress approved July, 1, 1902, (32 Stats., 641).

You are hereby advised that you will be allowed fifteen days from the date hereof, in which to file with this Commission such protest as you desire to make against the action of the Commission in identifying the said Winnie Bob, as a Mississippi Choctaw, and make satisfactory proof of service of said protest upon the applicant herein.

If you fail to file such protest within the time allowed, the name of the applicant herein will be placed upon the schedule of duly identified Mississippi Choctaws now being prepared by this Commission.

Respectfully,

Tamc Dinty.
Acting Chairman.

Register.
QR-encl-21-33.

M.C.R. 2024

copy.

Muskogee, Indian Territory, March 11, 1903.

Winnie Bob,

Engine, Mississippi.

Dear Madam:

Enclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered February 14, 1903, identifying you as a Mississippi Choctaw Indian under the provisions of Section 41 of the Act of Congress approved July 1, 1902, (32 Stats., 641).

If you remove to the Choctaw-Chickasaw country, Indian Territory, before August 14, 1903, you will have six months from that date or until February 14, 1904, within which to make proof of such removal and settlement at the office of the Commission at Atoka, Choctaw Nation, or Tishomingo, Chickasaw Nation.

Respectfully,

Chairman.

Registered.

Enc. 2024

For Identification as a Mississippi Choctaw.

Date MAY 3 1901

Name *Winnie Bob,*Age *50* Blood *full,*Post Office, *Engine, Miss.*Father: *Bob - (dead)*Mother: *Ste-mah-li "*

*Claims through both parents
(Claims for herself)
only.*

*(See Miss (Choctaw) No 181,
Testimony of 1/31/99)*

~~Children:~~

Stenographer

R. S. Street.

Winnie Bot.

COPY OF DECISION FORWARDED
APPLICANT

MAY 11 1903

Choctaw MCR 2025

William Morris

MCR 2025

Department of the Interior.
Commission to the Five Civilized Tribes.
Philadelphia, Mississippi, May 3rd, 1901.

In the matter of the application of William Morris for the identification of himself, his wife and five minor children as Mississippi Choctaws.

William Morris being first duly sworn upon his oath testified as follows:

Examination by the Commission.

- Q What is your name? A William Morris.
Q What is your age? A I will be about 26 years old the 7th of September.
Q What is your post office address? A Naxapater, Mississippi.
Q How long have you lived in Mississippi? A All my life.
Q Is your father living? A Yes sir.
Q What is his name? A Watson, Morris.
Q Is he a full blood Choctaw? A Well, sorter mixed.
Q How much Choctaw blood do you think he has? A About half, I reckon.
Q The other half white? A I guess so.
Q Is your mother living? A No sir.
Q What was her name? A Lousana.
Q Was your mother a full blood Choctaw? A $3/4$.
Q What proportion of Choctaw blood do you claim? A About $5/8$.
Q Did your mother always lived in Mississippi? A Yes sir.
Q Has your father always lived in Mississippi? A Yes sir.
Q Were either of your parents ever recognized in any manner or enrolled as members of the Choctaw tribe of Indians out in the Indian Territory by either the Choctaw authorities or the United States authorities? A I don't know.
Q Are you married? A Yes sir.
Q Is your wife living? A Yes sir.
Q Do you want to make application for her? A Yes.
Q What is your wife's name? A Ib.
Q How old is your wife? A She's 21 this Christmas morning; she was 21 last Christmas morning.
Q What proportion of Choctaw blood do you claim your wife has? A About $1/4$.
Q What is the other $3/4$? A Negro.
Q Has your wife always lived in Mississippi? A Yes sir.
Q When were you married to her? A I married last -- it will be seven years next November.
Q Did you get a license to marry? A Yes.
Q From whom did you get the license? A I can't recollect; I got it below.
Q From the Clerk's office? A Yes sir.
Q In Philadelphia? A Yes sir, from Gully.
Q Were you married by an ordained preacher? A Yes sir.
Q What is his name? A John Calmer.
Q Have you your marriage license and certificate with you at this time? A No sir.

Permission is granted to the applicant to file proper evidence of his marriage within thirty days from this date.

- Q Is your wife's father living? A Yes sir.
Q What is his name? A Named Sam Anderson.
Q Is he a Choctaw? A No sir.

William Morris, et al., #2.

- Q Negro? A Yes sir.
- Q Is your wife's mother living? A Yes sir.
- Q What is her name? A Venus.
- Q Does she claim to have Choctaw blood? A Yes sir.
- Q Your wife gets her Choctaw blood solely through her mother? A Yes sir.
- Q What proportion of Choctaw blood do you claim for your wife's mother? A 1/2.
- Q Have you any children? A Yes sir, five.
- Q What are their names and ages? A The oldest one, Nan.
- Q How old is Nan? A 8 years the 4th of October.
- Q What is the next one? A Foreman.
- Q How old? A Four years old the 15th of October? A
- Q The next one? A Bowman.
- Q How old? A Three years old the 11th of October.
- Q The next one? A Brooksie.
- Q Girl? A No sir, boy.
- Q How old? A Be two years old the 24th of February.
- Q Are you the father of these children? A Yes sir.
- Q What is the name of their mother? A Ib.
- Q Were either of your wife's parents ever recognized in any manner or enrolled as members of the Choctaw tribe of Indians in the Indian Territory by the Choctaw tribal authorities or by the United States authorities? A No sir.
- Q Have your wife's father and mother always lived in Mississippi? A Yes sir.
- Q All of her ancestors always lived here so far as you know? A Yes sir.
- Q Is your name or your wife's name, or the names of any of your minor children to be found upon the Choctaw tribal rolls in the Indian Territory? A No sir.
- Q Did you ever make application for yourself or your wife or any of these children to have your names placed upon the rolls out there? A No sir.
- Q Did you or your wife, or anyone for you, in the year 1896, make application to the Commission to the Five Civilized Tribes for citizenship in the Choctaw Nation? A No sir.
- Q Then, neither you nor your wife or any of these children have ever been admitted to citizenship in the Choctaw Nation either by the Choctaw tribal authorities in Indian Territory, by this Commission or by the United States Court in Indian Territory? A No sir.
- Q Have you ever appeared before the Commission prior to this time? A No sir.
- Q Never made any application of any kind to the tribal authorities out there, did you? A No sir.
- Q Is it now your purpose to make an application for the identification of yourself, your wife and four minor children as Mississippi Choctaws? A Yes sir.
- Q Do you claim your rights under the provisions of the 14th article of the treaty of Dancing Rabbit Creek? A Yes sir.
- Q Have you ever received any benefits as a Choctaw Indian? A No sir.
- Q Has your wife? A No sir.
- Q Your children? A No sir.
- Q Did any of your ancestors, or any of your wife's ancestors ever receive any benefits as Choctaw Indians? A No sir.
- Q Were any of your ancestors, or any of your wife's ancestors living in the old Choctaw Nation in Mississippi and Alabama in the year 1830, when the Treaty of Dancing Rabbit Creek was made? A I don't know.
- Q Were any of your ancestors, or any of your wife's ancestors, recognized members of the Choctaw tribe of Indians at that time? A I don't know.
- Q Did any of your wife's ancestors or any of your ancestors remove from the old Choctaw Nation in Mississippi and Alabama to the

William Morris, et al., #3.

present Choctaw Nation in Indian Territory at the time of the removal of the main part of the Choctaw tribe of Indians between the years 1833 and 1838? A I don't know.

Q Did any of your ancestors, or any of your wife's ancestors within six months after the Treaty of Dancing Rabbit Creek was ratified, signify to the United States Indian Agent for the Choctaws here in Mississippi their intention to remain in Mississippi and become citizens of the States? A I don't know.

Q Did any of your ancestors, or any of your wife's ancestors, ever claim or receive any land in Mississippi as beneficiaries under the provisions of the 14th article of the Treaty of Dancing Rabbit Creek? A I don't know.

Q Did you ever hear of any of your ancestors ever getting any land in Mississippi? A No sir.

Q Did any of your wife's? A No sir.

Q Do you know the names of any of your grand parents? A No sir.

Q Any of your wife's grand parents? A No sir.

Q Are there any additional statements you desire to make at this time in support of your application? A No sir, I reckon not.

Q Have you any documentary evidence, affidavits, written testimony of any kind, copies of records, deeds or patents, or any other proper papers showing that your ancestors or your wife's ancestors were recognized members of the Choctaw tribe of Indians in 1830 when the Treaty of Dancing Rabbit Creek was made, or that any of them ever complied or attempted to comply with the 14th article of that treaty, or ever received any benefits under that article? A No sir.

(This applicant has the appearance of being possessed of fully as much Indian blood as is claimed by him, to-wit, five-eighths; he speaks and understands both the English and Choctaw languages.)

The decision of the Commission as to the application made by you at this time for the identification of yourself, your wife and child, will be determined at the earliest possible date, and a report of the same made to the Secretary of the Interior conformable to the provisions of the Twenty First Section of the Act of Congress of June 28th, 1898, and a copy of the same will be mailed to you to your post office address as given in your testimony.

R. S. Streit, being first duly sworn, upon his oath states that as stenographer to the Commission to the Five Civilized Tribes, he reported in full the proceedings in the above entitled cause on the 3rd day of May, 1901, and that the above and foregoing is a full, true and correct translation of his stenographic notes of said proceedings on said date.

Subscribed and sworn to before me at Meridian, Mississippi, this 24th day of May, 1901.

R. S. Streit
Notary Public.

COPY.

M.C.R. 2025

Muskogee, Indian Territory, September 27, 1904.

William Morris,

Ardmore, Indian Territory,

Dear Sir:

Inclosed you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered September 27, 1904, identifying you and your children, Nan Morris, Foreman Morris, Bowman Morris and Brooksie Morris, as Mississippi Choctaws.

Under the provisions of the Act of Congress approved July 1, 1902 (32 Stat., 641), in order for you to avail yourselves of the benefits thereof you must remove to and make settlement within the Choctaw-Chickasaw country, Indian Territory, on or before March 27, 1905. The Act above referred to also provides that proof of such settlement shall be made to this Commission within one year after the date of the identification of the persons herein named, as Mississippi Choctaws.

By the Act of Congress approved April 21, 1904 (public No. 125), it is provided that the Commission shall close its work and terminate on or before the first day of July, 1905. It is, therefore suggested that you appear before the Commission, at the Choctaw Land Office, at Atoka, Indian Territory, or the Chickasaw Land Office, at Tishomingo, Indian Territory, for the purpose of making

W. M. 2

proof of your removal to and settlement within the Choctaw-Chickasaw
country, at the earliest practicable date.

Respectfully,

(SIGNED) *Tams Bixby.*

Chairman.

Registered.

Incl. M.C.R. 2025.

COPY.

M.C.R. 2025

Muskogee, Indian Territory, September 27, 1904.

Ib Morris, ,

Ardmore, Indian Territory,

Dear Madam:

You are hereby notified that the Commission to the Five Civilized Tribes, on September 27, 1904, rendered its decision, refusing your application for identification as a Mississippi Choctaw, included in the consolidated case of Dibbin Harris et al.

You are further advised that you will be allowed fifteen days from the date of this notice within which to file arguments in this office, and that at the expiration of that time the papers in the case together with such arguments as may be filed, will be forwarded to the Secretary of the Interior through the Commissioner of Indian Affairs.

Respectfully,

(SIGNED)

Tame Bixby.

Chairman.

Registered.

Land.
74367-1904.

DEPARTMENT OF THE INTERIOR, (COPY).
OFFICE OF INDIAN AFFAIRS,
WASHINGTON, December 9, 1904.

The Honorable,

The Secretary of the Interior.

Sir:

I enclose herewith, a report from the Commission to the Five Civilized Tribes, dated October 18, 1904, transmitting the record of the consolidated applications for identification as Mississippi Choctaws by Dibbin Marris for himself and his six minor children, Wench, Steve, Nancy, Missy, Mat and Liss Marris; by Coleman Marris for himself and his four minor children, Nannie, Jane, Lillie and Tennis Marris; by Dibbin Marris for his son, Marris Marris; by Sanderson Marris for himself and his minor child, Lula Marris; by Dibbin Marris for Jack Beaks and his minor ward, Sam Marris; by Tom H. Marris for himself, his wife, Sealy Marris, and his two minor children, Christian and Winner Marris; by Bobo Marris for himself and his minor child, Otis Marris; by Asa Elmon Bull for himself and his wife, Susan Bull; by Jim Marris for himself, his wife, Minerva Marris, and his two minor children, Arch and Annie Marris; by Watson Marris for himself and his three minor children, Nellie, Seward and Boston Marris; by Albert Kelley for himself, his wife, Sealy Kelley, and his three minor children, Presley, Lloyd and Eula Kelley; by Mosely Morris for himself, his wife, Ida Morris, and his three minor children, Lillie, Dempsey and Missie Morris; by John Sockey for himself, his wife, Bettie Sockey, and his three minor children, Maggie Rafe and Ned Sockey; by William Morris for himself, his wife, Ib

Morris, and his four minor children, Nan, Foreman, Bowman and Brooksie Morris; and by Dibbin Marris for George Marris and his wife, Fergy Marris.

The Commission has heretofore duly identified as full-blood Mississippi Choctaws, Jack Beaks, Sealy Marris, Asa Elmon Bull, Minerva Marris, Ida Morris, John Sockey and Fergy Marris.

September 27, 1904, the Commission decided favorably to all the other applicants except Albert Kelley and Ib Morris and adversely to them.

The record shows that all of the applicants, except those heretofore identified and Albert Kelley and Ib Morris, claim rights in the Choctaw lands under article 14 of the treaty of Dancing Rabbit Creek by reason of being descendants of Ah-to-ble-cha, who is alleged to have been a full-blood Choctaw Indian and to have resided in Mississippi in 1830; that Albert Kelly claims said rights by reason of being a descendant of Ailsey (or Il-lah-ho-nah), who is alleged to have been a Choctaw Indian, degree of blood not shown; that Ib Morris claims said rights by reason of being a descendant of Venus Anderson, who is alleged to have been an one-half blood Choctaw Indian, and that all the other applicants, except those heretofore identified, and Albert Kelley and Ib Morris also claim said rights by reason of being descendants either of Robert (or Bob) Bell or Venus Anderson, who are alleged to have been one-half blood Choctaw Indians, or Rosie Marris, or Tookolo, or Forbus Frazier, or Mary Frazier (Indian name Ma-han-to-nah), or John Bull, or John Frazier (Indian name Non-a-na-tubbee), or Susie Bell, or Charley Wilson, or Margaret Wilson, all

of whom are alleged to have been full-blood Choctaw Indians, or Naf-fie Marris, or Ailsey (Indian name Il-lah-ho-nah), both of whom are alleged to have been Choctaw Indians, degree of blood not shown.

It further appears from the record, and from the records of this office, that none of the applicants has ever been recognized enrolled or admitted to citizenship by any tribal authority of the Choctaw Nation or by any United States tribunal nor are they parties litigant before the Choctaw-Chickasaw Citizenship Court.

It is further shown that Dibbin Marris and Walton Marris are the children of Jim Marris, a white man, and Sallie Marris a full-blood Choctaw Indian woman whose Indian name is given as Fil-e-tah-honah, and that she was the daughter of Ah-to-ble-cha, a full-blood Choctaw Indian who resided in Neshoba County, Mississippi, until his death, which occurred shortly after the civil war, and was buried near Seale, Mississippi; that Ah-to-ble-cha was the head of a Choctaw family in 1830, and signified his intention to remain for the five years stay and take land under article 14 of said treaty; that he had at the date of the treaty, four children whose names are given as Sallie Marris, (Fil-e-tah-ho-nah), the mother of two of the applicants, and Ok-le-mo-nah, Cum-ne-ah-he-mah and Ah-no-sa-choe, the three former being girls and the latter a boy.

It further appears that all of the applicants except the persons heretofore identified, and Albert Kelley and Ib Morris are lineal descendants of the said Ah-to-ble-cha, through whom they claim. The evidence as above set forth is corroborated by the records of this office.

It does not appear from the record, or from the records of this

office, relating to persons who complied or attempted to comply with the provisions of article 14 of the treaty of 1830, and to persons who were heretofore claimants thereunder, that Ailsey (or Il-lah-ho-nah), through whom Albert Kelley claims, or Venus Anderson, or an ancestor less remote, signified in person or by proxy to any person an intention to comply with the provisions of said article 14, or presented a claim to rights under the same or subsequent legislation.

In view of the record, the approval of the Commission's decision favorable to all of the applicants except Albert Kelley and Ib Morris, and unfavorably to them, is recommended.

Very respectfully,

(Signed) A. C. Tonner,

Acting Commissioner.

M.M.M.
W.

(COPY).

DEPARTMENT OF THE INTERIOR,

GR. LLB.

DC. 4076-1905.
ITD. 7377-1904.
12446- "
294-1905.
L.R.S.

WASHINGTON, January 21, 1905.

Commission to the Five Civilized Tribes,

Muskogee, Indian Territory,

Gentlemen:

October 18, 1904, you transmitted the record of the consolidated applications of Dibbin Marris et al., M.C.R. 2532 et al., for identification as Mississippi Choctaws, including your decision of September 27, 1904, granting the applications for identification of the following-named mixed-blood Choctaws: Dibbin Marris, Wench Marris, Steve Marris, Nancy Marris, Missy Marris, Mat Marris, Liss Marris, Coleman Marris, Nannie Marris, Jane Marris, Lillie Marris, Tennis Marris, Marris Marris, Sanderson Marris, Lula Marris, Sam Marris, Tom H. Marris, Christian Marris, Winner Marris, Bobo Marris, Otis Marris, Susan Bull, Jim Marris, Arch Marris, Annie Marris, Watson Marris, Nellie Marris, Seward Marris, Boston Marris, Sealy Kelley, Presley Kelley, Lloyd Kelley, Eula Kelley, Mosely Morris, Lillie Morris, Dempsey Morris, Missie Morris, Bettie Sockey, Maggie Sockey, Rafe Sockey, Ned Sockey, William Morris, Nan Morris, Foreman Morris, Bowman Morris, Brooksie Morris and George Marris as Mississippi Choctaw Indians entitled to rights in the Choctaw lands under the provisions of Article 14 of the Treaty of 1830, and denying the applications of Albert Kelley and Ib Morris to be identified as such.

It appears from the records of the Commission that Jack

Beaks, principal applicant in M.C.R. 5163, Sealy Marris, wife of principal applicant in M.C.R. 2724, Asa Elmon Bull, principal applicant in M.C.R. 5113, Minerva Marris, wife of principal applicant in M.C.R. 2027, Ida Morris, wife of principal applicant in M.C.R. 2003, John Sockey, principal applicant in M.C.R. 5162 and Fergy Marris, wife of principal applicant in M.C.R. 5164, who are full-blood Mississippi Choctaw Indians, have been by the Commission duly identified as Mississippi Choctaws under the provisions of section forty-one of the act of Congress approved July 1, 1902 (32 Stat., 641), and the Department notes that the names of Jack Beaks, Fergy Marris, John Sockey and Asa Elmon Bull are to be found on the partial rolls of the Mississippi Choctaws approved by the Acting Secretary of the Interior January 13, 1905, opposite Nos., respectively, 1159, 1160, 1226, and 1228 thereon.

December 9, 1904, the Acting Commissioner of Indian Affairs reporting in the matter recommended that your decision of September 27, 1904, be affirmed. Copy of his letter is inclosed.

The Department concurs in the recommendation made and your decision is hereby affirmed.

Respectfully,

(Signed) THOS. RYAN,

Acting Secretary.

1 inclosure.

WOB.

COMMISSIONERS:
TAMM BIXBY,
THOMAS B. NEEDLES,
C. E. WRECKINRIDGE.

WM. O. REALL,
Secretary.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

REFER IN REPLY TO THE FOLLOWING:

M.C.R. 2025

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory, February 1, 1905.

Ib Morris,

Ardmore, Indian Territory,

Dear Madam:

You are hereby notified that on the 21st day of January 1905, the Secretary of the Interior affirmed the decision of this Commission refusing your application for identification as a Mississippi Choctaw, included in the consolidated case of Dibbin Marris et al., of which decision you were advised by registered mail on the 27th day of September, 1904.

Respectfully,



Chairman.

CHICKASAW
REFUSED

9c.850

William Morris et al

DECISION RENDERED. SEP 27 1904

IDENTIFIED SEP 27 1904

COPY OF DECISION FORWARDED APPLICANT SEP 27 1904

NOTICE OF DECISION FORWARDED SEP 27 1904

**ATTORNEY FOR APPLICANTS
REAR TONOR**

**COPY OF DECISION FORWARDED
ATTORNEY FOR CHICKASAW AND
CHICKASAW NATIONS SEP 27 1904**

DECISION RENDERED. SEP 27 1904

REFUSED. SEP 27 1904

DECISION MAILED APPLICANT. SEP 27 1904

**NOTICE OF DECISION FORWARDED
ATTORNEY FOR APPLICANTS. SEP 27 1904**

**NOTICE OF
FOR CHICKASAW AND CHICKASAW NATIONS. SEP 27 1904**

**ACTION APPROVED BY
SECRETARY OF INTERIOR**

**NOTICE OF DEPARTMENTAL
ACTION MAILED APPLICANT.**

**NOTICE OF DEPARTMENTAL ACTION
FORWARD ACTION SECRETARY CHICKASAW
AND CHICKASAW NATIONS.**

**NOTICE OF DEPARTMENTAL ACTION
FORWARD ACTION SECRETARY APPLICANT**

#1-3-4-5-6-7-8-9
#2
#2
#2

For Identification as a Mississippi Choctaw.

Date MAY 1901

Name William Morris

Age 25 Blood $\frac{5}{8}$

Post Office, Hoxapater, Miss

Father: Watson Morris $\frac{1}{2}$ L.Mother: Louana " $\frac{3}{4}$ (dead)

Claims through both parents

Wife H. Morris ($\frac{1}{4}$) 21

Father Sam Anderson L

Mother Venus " $\frac{1}{2}$ L.
Wife claims through mother

Children:

Nan Morris 5

Foreman " 3

Bowman " 2

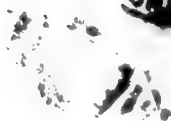
Brooksie " (m) 1

(Claims for himself, his
Wife and 4 minor children)

Stenographer

R. S. Street

FILED
MAR -9 1905
MISSION TO FIVE TRIBES



Department of the Interior.

Commission to the Five Civilized Tribes,

MUSKOGEE, IND. TER.



16

Muskogee

Armed Indian Territory.

mdp
2025

Choctaw MCR 2026

John Smith

(Ahno-sah-Cubbe)

MCR 2026

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

The record herein is in the matter of the
application of John Smith (Ah-no-sah-cubbee) for identification
as a Mississippi Choctaw,
M.C.R. 2026.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

In the matter of the application of John Smith (Ah-no-sah-cubbee) for identification as a Mississippi Choctaw, M.C.R. 2026

I N D E X

	Page
Original application of John Smith (Ah-no-sah-cubbee) to the Dawes Commission for identification as a Mississippi Choctaw	1
Original patent issued under the fourteenth article of the treaty of eighteen hundred and thirty to Ah-no-sa-cubbe on October 14, 1846	6
Joint affidavit of Henry G Priester and Louis C. Smith,	7
Decision of the Commission identifying John Smith (Ah-no-sah-cubbee) as a Mississippi Choctaw	8

Department of the Interior.
 Commission to the Five Civilized Tribes.
 Philadelphia, Mississippi May 3, 1901.

In the matter of the application of John Smith for identification as a Mississippi Choctaw; he being first duly sworn, upon his oath testified as follows: (Tom Tubbee, Official Interpreter.)

Examination by the Commission.

- Q What is your name? A John Smith.
- ✓Q Have you a Choctaw name? A Ah-ne-sah-cubbee.
- Q How old are you? A 76.
- Q What is your post office address? A Engine.
- Q How long have you lived in the State of Mississippi? A A^l my life.
- ✓Q Do you claim to be a full blood Choctaw Indian? A Yes.
- ✓Q Is your father living? A Went to the Nation.
- Q Well, is he living or not? A Dead.
- ✓Q What was his name? A Wa-ka-tubbee.
- Q When did he go to the Nation? A Long time ago; I don't know.
- Q By the Nation, do you mean the Choctaw Nation out in the Indian Territory? A Yes.
- Q Did your father move out to the Choctaw Nation, out west, when the main part of the Choctaw tribe went out there, nearly seventy years ago? A Yes.
- Q Did he ever come back to Mississippi after he went out ~~zh~~ west?
- A No sir. Buried close by Fort Smith.
- Q Did your father get any land here in Mississippi from the Government before he went out west? A No.
- ✓Q Is your mother living? A No.
- Q When did she die? A Long time.
- Q Where did she die? A Neshoba County.
- ✓Q What was her name? A Beckey.
- ✓Q Did she have a Choctaw name? A Bo-li-ho-nah.
- ✓Q Your father and mother were both full blood Choctaws were they?
- A Yes.
- Q Did your mother move out west to the new Choctaw Nation in Indian Territory when your father went out there? A Didn't go; my daddy went by himself.
- Q Your mother never did go out to the Indian Territory? A No.
- Q Do you know the names of any of your grand-parents? A My father's father's name was Nok-i-fo-lo-me-tubbee.
- Q Did Nok-i-fo-lo-me-tubbee go out to the Choctaw Nation when your father went? A Yes.
- Q Do you know your father's mother's name? A Yes, Ik-i-la-nah.
- Q Do you know your mother's father's name? A I don't know.
- Q Do you know your mother's mother's name? A Ah-to-ba-ho-nah.
- Q Did your mother's father and mother move out west to the Choctaw Nation, Indian Territory, when your father moved out there?
- A They died here.
- Q Never did go out west? A No.
- Q Do you know whether your father was ever recognized and enrolled out in the Choctaw Nation in the Indian Territory, as a member of the Choctaw tribe? A I don't know.
- Q Was your mother ever recognized or enrolled out in the Indian Territory as a member of the Choctaw tribe? A I don't know.
- Q Are you married? A No, my wife is dead.
- Q Have you any children under 21 years of age and unmarried? A No.

John Smith #2.

Is your name on any of the Choctaw tribal rolls out in Indian Territory? A I don't know.

Q Have you ever been out to the Choctaw Nation, Indian Territory?

A Yes.

Q When? A I don't know; went twice, but don't know.

Q About how long ago? A Six years.

Q How long did you stay out in the Choctaw Nation that time?

A Three months.

Q When was the other time you went out there? A I forgot.

Q How many years before you went out there before? A About how many years ago? Has it been a long time? A When I was a young man.

Q Was it before the big war here between the north and the south?

A Short time after the war.

Q Did you ever make application to the Choctaw tribal authorities out in the Indian Territory to be enrolled as a member of that tribe?

A No.

Q Did you make application to the Commission to the Five Civilized Tribes in the year 1896 for citizenship in the Choctaw Nation? A No.

Q Have you ever been admitted to citizenship in the Choctaw Nation in Indian Territory by the tribal authorities, by the Commission to the Five Civilized Tribes or by the United States Court in Indian Territory? A No.

Q Have you ever made any application before this time to either the Choctaw tribal authorities of the Choctaw Nation in Indian Territory or to the United States authorities to be admitted or enrolled as a member of the Choctaw tribe of Indians? A No, except two years ago when the Commission was at Philadelphia.

The records of the Commission show that this applicant appeared before the Commission at Philadelphia, Mississippi on January 31, 1899, and made application for the identification of himself as a Mississippi Choctaw; his name appearing upon Mississippi Choctaw card, Field Number 181, also, upon page 58 of the Schedule of Mississippi Choctaws, which accompanied the report of the Commission to the Five Civilized Tribes to the Secretary of the Interior, of March 10, 1899, as to the identity of Choctaw Indians residing in Mississippi, claiming rights in the Choctaw lands under the provisions of the Fourteenth Article of the Treaty of Dancing Rabbit Creek, being number 623 thereon.

Q Do you want to make application for identification as a Mississippi Choctaw at this time? A Yes.

Q Do you claim your rights under the provisions of the fourteenth article of the Treaty of Dancing Rabbit Creek? A I don't know.

Q I will read this Fourteenth Article to you; it is as follows:

"Each Choctaw head of a family being desirous to remain and become a citizen of the States shall be permitted to do so by signifying his intention to the agent within six months from the ratification of this treaty, and he or she shall thereupon be entitled to a reservation of one section of six hundred and forty acres of land, to be bounded by sectional lines of survey; in like manner shall be entitled to one-half that quantity for each unmarried child which is living with him over ten years of age; and a quarter section to such child as may be under ten years of age, to adjoin the location of the parent. If they reside upon said lands intending to become citizens of the States for five years after the ratification of this treaty, in that case a grant in fee simple shall issue; said reservation shall include the present improvement of the head of the family or a portion of it. Persons who claim under this article shall not lose the privilege of a Choctaw citizen, but if they ever remove are not entitled to any portion of the Choctaw annuity."

John Smith #3.

- Q Have you ever received any benefits as a Choctaw Indian? A No.
- Q Did any of your ancestors ever receive any benefits as Choctaw Indians? A I don't know.
- Q Do you remember when the treaty of Dancing Rabbit Creek was made? A I don't know.
- Q Were you living when that treaty was made? A Just heard about it.
- Q Did your mother within six months after the ratification of the treaty of Dancing Rabbit Creek, signify to the United States Indian Agent here in Mississippi her intention to remain in Mississippi and become a citizen of the States? A I don't know.
- Q Did she, or anyone else, ever appear within six months after the ratification of this treaty and signify to the Indian Agent for the Choctaws here in Mississippi, for you and signify your intention to remain in Mississippi and become a citizen of the States? A I don't know.
- Q Did any other of your ancestors besides your mother within six months after this treaty was ratified signify to the Indian Agent their intention to remain in Mississippi and become citizens of the States? A I don't know.
- Q Did your mother ever claim or receive any land in Mississippi for herself or for you under the provisions of the Fourteenth Article of the Treaty of Dancing Rabbit Creek? A No.
- Q Did any other of your ancestors ever get any land in Mississippi under the provisions of this Fourteenth Article of the Treaty? A I don't know.
- Q Are you sure that neither you nor your mother ever received any land from the Government under the provisions of this treaty? A I received eighty acres.
- Q When? A I don't know.
- Q Did you get this eighty acres from the Government of the United States? A I reckon so.
- Q How old were you when you got this land? A When I was five years old.
- Q Where was that land? A In Neshoba.
- Q About what place? A Mucktusha.
- Q Do you own that land now? A No. It belongs to another man now.
- Q Did you sell it? A Just took it away from me.
- Q When was this land taken away from you? A I don't know when.
- Q How long did you keep the land? A I didn't pay taxes and lost it.
- Q Are you sure it wasn't one hundred and sixty acres you got? A I got 160 acres, and somebody helped me, and made contract to get half.
- Q Didn't your mother get 6420 acres, one whole section, when you got this 160? A Got a section.
- Q Did your mother's land adjoin your land? A Think my land about half mile from my mother's.
- Q What became of your mother's land? A I don't know what become of it.
- Q Did you ever have a brother or a sister? A One brother.
- Q What is his name? A Ish-tem-po-tubbee.

The applicant is identified as Ah-no-sa-cubbee, the son of Bo-le-he-nah and brother of Ish-tem-po-tubbee, as being a child under ten years of age at the date of the ratification of the treaty of Dancing Rabbit Creek. The names of these three persons appearing upon page 550 of the Record of the Court of Claims in case ~~Mark~~ of the Choctaw Nation of Indians versus the United States, Number 12742. These names appear in case No. 370 in Abstract One reported by Commissioners, Tyler, Gaines and Rush, it being shown that Bo-le-he-nah received Section 32, Township 9, Range 13 E.,

John Smith #5.

Ish-tem-po-tubbee received the N.W.1/4 of Section 5, Township 8, Range 13 E., and Ah-no-sa-cubbee received the S.W.1/4 of Section 5, Township 8, Range 13 E.. The following notation appears opposite their names: "To-nubbee witness says, claimant, with others were at the annuity at LeFlore's for the purpose of having her name registered; that Ward had refused to register any more before the Mug ga luses had an opportunity to apply. Claimant continued to reside upon her place about nine years after the treaty when she was dispossessed by Joe Kane a white man. Commissioners allow the claim and award land, it not having been disposed of by govt."

Q Are there any additional statements you desire to make at this time in support of your application? A No.

Q Have you any documentary evidence, affidavits, written testimony of any description, copies of records, deeds or patents, or any other proper papers showing that any of your ancestors were recognized members of the Choctaw tribe of Indians in 1830, when the Treaty of Dancing Rabbit Creek was entered into between the United States and the Choctaw tribe of Indians, or that any of them ever complied or attempted to comply with the provisions of the Fourteenth Article of that Treaty, or ever received any benefits thereunder? A No.

(This applicant has every appearance and characteristic of a full blood Indian; he does not speak the English language, the examination having been conducted wholly through a sworn Choctaw interpreter. It appears from his testimony that he was, at the time of the ratification of the Treaty of Dancing Rabbit Creek, a child under ten years of age, and, as such, received the S.W.1/4 of Section 5, Township 8, Range 13E., under the provisions of the Fourteenth Article of the Treaty of Dancing Rabbit Creek. His mother, and one of his brothers, who was also a child under ten years of age at the time of the ratification of the treaty, received land under the provisions of the Fourteenth Article of the Treaty of Dancing Rabbit Creek.)

The decision of the Commission with reference to the application made by you at this time for identification as a Mississippi Choctaw will be determined at the earliest possible date, and a report of the same made to the Secretary of the Interior conformable to the provisions of the Twenty First Section of the Act of Congress of June 28, 1898, and a copy of the same will be mailed to you to your post office address as given in your testimony.

By the Commission:

After this applicant, who is aged and infirm, had left for his home, his son, Seaborn Smith, presented to the Commission a patent signed by James K. Polk, President of the United States, dated October 15, 1846, conveying to Ah-no-sa-cubbee, a claimant under the provisions of the Fourteenth Article of the Treaty of Dancing Rabbit Creek, the following described tract of land: The S.W.1/4 of Section 5, Township 8 (north) of Range 13 E. (of the Choctaw Meridian) in the district of land subject to sale at Columbus, Mississippi, containing 160 acres.

Which said patent is identified as Exhibit "A", filed and made a part of the record in the matter of the application of John Smith for identification as a Mississippi Choctaw.

R. S. Streit, being first duly sworn upon his oath states that as stenographer to the Commission to the Five Civilized Tribes he reported in full the proceedings had in the above entitled cause on the 3rd day of May, 1901, and that the above and foregoing is a full, true and correct translation of his stenographic notes of said proceedings upon said date.

R. S. Streit
Subscribed and sworn to before me at Meridian, Mississippi,
this 23rd, day of May, 1901.

[Signature]
Notary Public.

C. W.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

In the matter of the application of John Smith (Ah-no-sah-cubbee) for identification as a Mississippi Choctaw, M.C.R. 2026.

----D E C I S I O N ----

It appears from the record herein that application for identification as a Mississippi Choctaw was made to this Commission on May 3, 1901, by John Smith (Indian name Ah-no-sah-cubbee) for himself, under the following provision of the Act of Congress approved June 28, 1898 (30 Stats. 495):

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto and make report to the Secretary of the Interior."

From the evidence submitted in support of said application it appears that the applicant is a full blood Mississippi Choctaw Indian.


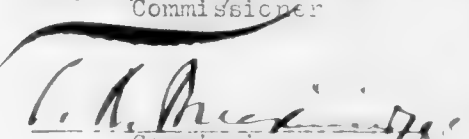

Section forty-one of the Act of Congress entitled "An Act to ratify and confirm an agreement with the Choctaw and Chickasaw

tribes of Indians, and for other purposes" approved July 1, 1902, (32 Stats. 841) and ratified by the Choctaw and Chickasaw Nations September 25, 1902, provides as follows:

"The application of no person for identification as a Mississippi Choctaw shall be received by said Commission after six months subsequent to the date of the final ratification of this agreement and in the disposition of such applications all full-blood Mississippi Choctaw Indians and the descendants of any Mississippi Choctaw Indians whether of full or mixed blood who received a patent to land under the said fourteenth article of the said treaty of eighteen hundred and thirty who had not moved to and made bona fide settlement in the Choctaw-Chickasaw country prior to June twenty-eighth, eighteen hundred and ninety-eight, shall be deemed to be Mississippi Choctaws entitled to benefits under article fourteen of the said treaty of September twenty-seventh, eighteen hundred and thirty, and to identification as such by said Commission, but this direction or provision shall be deemed to be only a rule of evidence and shall not be invoked by or operate to the advantage of any applicant who is not a Mississippi Choctaw of the full blood, or who is not the descendant of a Mississippi Choctaw who received a patent to land under said treaty, or who is otherwise barred from the right of citizenship in the Choctaw Nation, all of said Mississippi Choctaws so enrolled by said Commission shall be upon a separate roll."

It is, therefore, the opinion of this Commission that John Smith (Ah-no-sah-cubbee) should be identified as a Mississippi Choctaw, and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES


Acting Chairman

Commissioner

Commissioner

Muskogee, Indian Territory

FEB 14 1903

COPY

M.C.R. 2026

Muskogee, Indian Territory, February 21, 1903.

Mansfield, McMurray & Cornish,

Attorneys for the Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:

Enclosed herewith you will find a copy of the decision of the Commission rendered February 14, 1903, identifying John Smith (Ah-no-sah-cubbee), as a Mississippi Choctaw Indian under the provisions of the forty-first section of the act of Congress approved July 1, 1902, (32 Stats., 641).

You are hereby advised that you will be allowed fifteen days from the date hereof, in which to file with this Commission such protest as you desire to make against the action of the Commission in identifying the said John Smith (Ah-no-sah-cubbee), as a Mississippi Choctaw, and make satisfactory proof of service of said protest upon the applicant herein.

If you fail to file such protest within the time allowed, the name of the applicant herein will be placed upon the schedule of duly identified Mississippi Choctaws now being prepared by this Commission.

Respectfully,

(SIGNED)

Thomas H. McLaughlin

Registered.

~~Acting~~ Chairman.

Enc. M.C.R. 2026

M.C.R. 2026.

COPY.

Muskogee, Indian Territory, March 11, 1903.

John Smith, (Ah-ne-sub-cubbee),
Engine, Mississippi.

Dear Sir:

Enclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered February 14, 1903, identifying you as a Mississippi Choctaw Indian under the provisions of Section 41 of the Act of Congress approved July 1, 1903, (32 Stats., 641).

If you remove to the Choctaw-Chickasaw country, Indian Territory, before August 14, 1903, you will have six months from that time, or until February 14, 1904, within which to make proof of such removal and settlement at the office of the Commission at Atoka, Choctaw Nation, or Tishomingo, Chickasaw Nation.

Respectfully,

(SIGNED)

Chairman.

Registered.

Enc. 2026.

M C R 2018
M C R 2026

Muskogee, Indian Territory, December 5, 1903.

Seborn Smith,

Soper, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 2nd instant, in which you state " I have in my possession a decision from you granting Citizenship as a Mississippi Choctaw to my Father John Smith (Ah-no-sah-cubbee) Who died in Mississippi September 25th 1902. please advise me how I shall proceed to get His land here."

In reply you are informed that it appears from our records that on February 14, 1903, the Commission rendered a decision identifying John Smith (Ah-no-sah-cubbee) as a full blood Mississippi Choctaw, and on March 11, 1903, he was notified that if he removed to the Choctaw-Chickasaw country, Indian Territory, before August 14, 1903, he would have six months from that time, or until February 14, 1904, within which to make proof of such removal and settlement at the office of the Commission at Atoka, Choctaw Nation, or Tishomingo, Chickasaw Nation, in accordance with the following provision of the act of Congress of July 1, 1902; which was ratified by the Choctaw and Chickasaw Nations, September 25, 1902:

S.S.--2.

"All persons duly identified by the Commission to the Five Civilized Tribes under the provisions of section 21 of the act of Congress approved June 28, 1898 (30 Stats., 495), as Mississippi Choctaws entitled to benefits under article 14 of the treaty between the United States and the Choctaw Nation concluded September 27, 1830, may, at any time within six months after the date of their identification as Mississippi Choctaws by the said Commission, make bona fide settlement within the Choctaw-Chickasaw country, and upon proof of such settlement to such Commission within one year after the date of their identification as Mississippi Choctaws entitled to allotment as herein provided for citizens of the tribes, subject to the special provisions herein provided as to Mississippi Choctaws, and said enrollment shall be final when approved by the Secretary of the Interior."

You are further advised that it does not appear from our records that your father, John Smith (Ah-no-sah-cubbe), removed to the Choctaw-Chickasaw country, Indian Territory, within the six months from the date of his identification as required by the provision of the act of Congress of July 1, 1902, above quoted.

Respectfully,

Chairman.

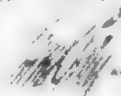
no

Miss Smith

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE LATE CIVILIZED TRIBES

FILED

MAY 3 1901



ACTING CHIEF MAN

THE UNITED STATES OF AMERICA,

To all to whom these Presents shall come, Greeting:

WHEREAS, under the *fourteenth Article of* the Treaty, concluded at Dancing Rabbit Creek, on the twenty-seventh day of September, in the year of our Lord one thousand eight hundred and thirty, by the Commissioners on the part of the United States, and the Chiefs, Captains, and Head Men of the Choctaw Nation, on the part of said Nation, *Ah-no-sa-cubbe* became entitled, out of the lands ceded to the United States by the said Treaty, to a quarter Section of land; And whereas, it appears from a return reported November 22nd 1845 by the Commissioner of Indian Affairs to the General Land Office that the Commissioners under the Act of Congress approved 23rd August 1842, entitled "An Act to provide for the satisfaction of claims arising under the fourteenth and nineteenth Articles of the treaty of Dancing Rabbit Creek concluded in September one thousand eight hundred and thirty," have made an award which was approved on the 23rd July 1845 by the Secretary of War in favor of the said *Ah-no-sa-cubbe*, now child under ten years of age at date of treaty of the following described tract, viz: the South West quarter of Section five, in Township eight (10th) of Range thirteen East (of the Choctaw Meridian) in the District of lands subject to sale at Columbus, Mississippi, containing *One hundred and sixty acres*;

NOW KNOW YE, That the UNITED STATES OF AMERICA, in consideration of the premises, and in conformity with the provisions of the said Treaty, HAVE GIVEN AND GRANTED, and by these presents DO GIVE AND GRANT, unto the said *Ah-no-sa-cubbe*, and to the heirs of the same

~~and to~~ *heirs*, the said tract of land above described: TO HAVE AND TO HOLD the same, together with all the rights, privileges, immunities, and appurtenances of whatsoever nature thereunto belonging, unto the said *Ah-no-sa-cubbe* and to the heirs and assigns for ever, of the said *Ah-no-sa-cubbe*.

IN TESTIMONY WHEREOF, I, *James H. Polk* PRESIDENT OF THE UNITED STATES OF AMERICA, have caused these Letters to be made PATENT, and the SEAL of the GENERAL LAND OFFICE to be hereunto affixed.

GIVEN under my hand, at the CITY OF WASHINGTON, the *fourteenth* day

Nation, *Chickasaw* —
States by the said Treaty, to a quarter Section —
And whereas, it appears from a return reported November 22nd 1845 by the Commissioner
of Indian Affairs to the General Land Office that the Commissioners under the Act
of Congress approved 23rd August 1842, entitled "An Act to provide for the
satisfaction of claims arising under the fourteenth and nineteenth Articles of
the treaty of Dancing Rabbit Creek concluded in September one thousand
eight hundred and thirty," have made an award which was approved on the
23rd July 1845 by the Secretary of War in favor of the said *Ah-no-sa-cubbe*, now
child under ten years of age at date of treaty of the following described tract,
viz: the South West quarter of Section five, in Township eight (1 north) of Range
thirteen East, (of the Choctaw Meridian) in the District of lands subject to
sale at Columbus Mississippi, containing One hundred and sixty acres.

NOW KNOW YE, That the UNITED STATES OF AMERICA, in consideration of the premises, and
in conformity with the provisions of the said Treaty, HAVE GIVEN AND GRANTED, and by these presents DO
GIVE AND GRANT, unto the said *Ah-no-sa-cubbe*, and to the heirs of the same —

and to ~~heirs~~ the said tract of land above described: TO HAVE AND TO HOLD the same, together
with all the rights, privileges, immunities, and appurtenances of whatsoever nature thereunto belonging, unto the said
Ah-no-sa-cubbe
and to the heirs and assigns for ever, of the said *Ah-no-sa-cubbe* —

IN TESTIMONY WHEREOF, I, *James K. Polk* PRESIDENT
OF THE UNITED STATES OF AMERICA, have caused these Letters to be made PATENT, and the SEAL of the
GENERAL LAND OFFICE to be hereunto affixed.

GIVEN under my hand, at the CITY OF WASHINGTON, the *fourteenth*
of *October* in the year of our Lord one thousand eight hundred and
forty six and of the INDEPENDENCE OF THE UNITED STATES the
seventy first.

BY THE PRESIDENT:

James K. Polk

By

J. H. Miller

Sec'y.

Recorded Vol. 2 Page 163.

P. H. Laughlin

Recorder of the General Land Office.

State of Mississippi, :
County of Clarke. :ss.

Henry G. Priester and Louis C. Smith,

being each for himself first duly sworn, deposes and says that he is well acquainted with Margaret Ferrell, and has known her for many years last past; that I was also well acquainted with her father John Smith, and know that he was a full blood Choctaw Indian, who resided in the County of Clarke, and State of Mississippi during his life time.

Your affiants further state that said John Smith was married to Julia Thompson, and resided with her for many years and raised a family of children; that said John Smith and Julia Thompson lived together as man and wife up to the time of the death of said John Smith; that at the time of their marriage a license could not be procured by colored people or indians, and they were married under the customs as they existed at that time. And further affiants saith not.

Sworn to and subscribed before me, :
this 13th day of May, A. D., 1901. :

H. G. Priester
Louis C. Smith

C. R. Williams Jr

No. _____ .

Affidavit to be filed in support
of the claim of John Smith
for identification as a Miss-
issippi Choctaw Indian.

John Smith.


(K. J. Smith)

~~2006~~

2006

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED
JUN 24 1901



ACTING CHAIRMAN

No

For Identification as a Mississippi Choctaw.

Date MAY 3 1901

Name John Smith
(Ah-no-sah-cubbee)

Age 76 Blood full

Post Office, Engine, Miss.

Father: M. K. Atisbee (dead)

Mother: Bess Key " "
Bo. li h. nan

Claims through both parents

(See Mrs. Croc (no title)

Ac 181, Testimony of 1/31/99.)

~~Children:~~

(Claims for Henry (alone))

Stenographer

R. S. Streit

John Smith
(ah - no - sak - cutbe.)

1000

**COPY OF DECISION FORWARDED
APPLICANT**

MAR 11 1903

Choctaw MCR 2027

Jim Marris

MCR 2027

MISS.-CHOCTAW
ENROLLMENT

R2021

JIM MARRIS
etal

#2

For Identification
REFUSED
Jim Marris
IDENTIFIED MAR 12 1904
COPY OF DECISION FORWARDED
APPLICANT MAR 16 1904
Notice of decision
Forwarded Attorney.
For Applicants MAR 16 1904

Copy of Decision Forwarded
Attorneys for Choctaw and
CHICKASAW NATIONS MAR 16 1904

Miss Choctaw # 222

For Self & Child

REFER TO M. C. R. 2582
T. C. 851

DECISION RENDERED.

see JKT

2582

NOS. 1-3-4

IDENTIFIED
COPY OF DECISION FORWARDED APPLICANT
APPLICANT
NOTICE OF DECISION FORWARDED
ATTORNEY FOR APPLICANTS.

COPY OF DECISION FORWARDED
ATTORNEYS FOR CHOCTAW AND
CHICKASAW NATIONS.

MISS.-CHOCTAW

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

Herein is the record in the matter of the application of
Jim Marris, et al., for identification as Mississippi Choctaws,
M.C.R.2027.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application of Jim Marris, et al., for
identification as Mississippi Choctaws, M.C.R.2027.

I N D E X .

	page
Original application of Jim Marris, et al., before the Dawes Commission for identification as Mississippi Choctaws,.....	1
Decision of the Commission identify- ing Minerva Marris as a Mississippi Choctaw,.....	5

Department of the Interior.
Commission to the Five Civilized Tribes.
Philadelphia, Mississippi, May 3, 1901.

In the matter of the application of Jim Marris for the identification of himself, his wife and one minor child as Mississippi Choctaws.

Jim Marris, being first duly sworn, upon his oath states as follows: (Tom Tubbee, official interpreter.)

Examination by the Commission.

- Q What is your name? A Jim Marris.
- Q How old are you, Jim? A 23.
- Q What is your post office address? A North Bend, Neshoba County, Mississippi? A Yes sir.
- Q How long have you lived in Mississippi? A All my life.
- Q Is your father living? A Yes.
- Q What is his name? A Dibbin Marris.
- Q Does he live in Mississippi? A Yes.
- Q What place? A Neshoba County.
- Q How long has he lived in Mississippi? A All the time.
- Q How much Choctaw blood has your father? A Half blood.
- Q Half Choctaw and half white? A Yes.
- Q Is your mother living? A Dead.
- Q What was your mother's name? A Jennie.
- Q Was your mother a full blood Choctaw? A $3/4$.
- Q How long has she been dead? A Dead about two years.
- Q Did your mother always live in the State of Mississippi? A Yes.
- Q How much Choctaw blood do you claim to have? A $5/8$.
- Q Were your father or your mother, either of them, ever recognized in any manner or enrolled as members of the Choctaw tribe of Indians out in the Indian Territory, by the Choctaw tribal authorities or the authorities of the United States? A No.
- Q Are you married? A Yes.
- Q What is your wife's name? A Minerva.
- Q Do you want to make application for your wife? A Yes.
- Q Is your wife a full blood Choctaw? A Yes.
- Q How old is your wife? A About 20.
- Q You are living with her at this time? A Yes.
- Q Were you married under a license or according to the Choctaw customs? A Indian custom.
- Q How long have you been married? A 2 years.
- Q Has your wife always lived in Mississippi? A Yes.
- Q What is the name of your wife's father? A Forbus Frazier.
- Q Was Forbus Frazier a full blood Choctaw? A Yes.
- Q Is he living? A Dead.
- Q Did he always live in Mississippi? A Yes.
- Q Is your wife's mother living? A Yes.
- Q What is her name? A Mary.
- Q Is Mary a full blood Choctaw? A Yes sir.
- Q Where does she live? A Lives north of here.
- Q Has she always lived in Mississippi? A Yes.
- Q Have all of your ancestors and all of your wife's ancestors, so far as you know, always lived in the State of Mississippi? A Yes.
- Q Have you any children? A One.
- Q What is its name? A Arch Marris.
- Q How old is this child? A About nine months.
- Q Are you the father of this child? A Yes.
- Q What is the name of its mother? A Minerva.

Jim Marris, et al., #2.

Q Is your name, or your wife's name to be found on the Choctaw tribal rolls in the Indian Territory? A No.

Q Did you, or your wife, or any one for you, ever make application to the Choctaw tribal authorities out in Indian Territory to be enrolled as members of the Choctaw tribe? A No.

Q Did you or your wife, or any one for you, or either of you, in the year 1896, make application to the Commission to the Five Civilized Tribes for citizenship in the Choctaw Nation? A No.

Q Have you, or has your wife, ever been admitted to citizenship in the Choctaw Nation, either by the Choctaw authorities, the Commission to the Five Civilized Tribes or by the United States Court for Indian Territory? A No.

Q Have you ever made application prior to this time to the Choctaw tribal authorities, or to the United States authorities to be admitted or enrolled as a citizen of the Choctaw Nation? A Two years ago.

The records of the Commission show that on January 31, 1899, this applicant appeared before the Commission at Philadelphia, Mississippi, and made application for identification as a Mississippi Choctaw, his name appearing upon Mississippi Choctaw card, Field Number 222; also, upon page 64 of the Schedule of Mississippi Choctaws, which accompanied the report of March 10, 1899, of the Commission to the Five Civilized Tribes to the Secretary of the Interior, as to the identity of Choctaw Indians residing in Mississippi, claiming rights in the Choctaw lands under the provisions of the Fourteenth Article of the Treaty of Dancing Rabbit Creek, being number 772 thereon.

Q Has any application of any description been made before to-day for your wife? A This is the first.

The records of the Commission fail to show that any application of any description has heretofore been made in behalf of the wife of this applicant.

Q You now desire to make application for the identification of yourself, your wife and infant child as Mississippi Choctaws? A Yes.

Q Do you claim your rights under the provisions of the Fourteenth Article of the Treaty of Dancing Rabbit Creek? A Yes.

Q Have you ever received any benefits as a Choctaw Indian? A No.

Q Has your wife ever received any benefits as a Choctaw Indian? A No.

Q Have any of your ancestors, or any of your wife's ancestors, ever received any benefits as Choctaw Indians? A I don't know.

Q Were any of your ancestors, or any of your wife's ancestors, living in the old Choctaw Nation in Mississippi and Alabama in the year 1830, when the Treaty of Dancing Rabbit Creek was made? A I don't know.

Q Were any of your ancestors, or any of your wife's ancestors recognized members of the Choctaw tribe of Indians at that time? A I don't know.

Q Did any of your ancestors, or any of your wife's ancestors remove from the old Choctaw Nation in Mississippi and Alabama to the present Choctaw Nation in Indian Territory, when the main part of the Choctaw tribe moved out there between the years 1833 and 1838? A I don't know.

Q Did any of your ancestors, or any of your wife's ancestors, within six months after the treaty of Dancing Rabbit Creek was ratified,

Jim Marris, et al., #3.

signify to the United States Indian Agent for the Choctaws here in Mississippi, their intention to remain in Mississippi and become citizens of the States? A I don't know.

Q Did any of your ancestors, or any of your wife's ancestors ever claim or receive any land here in Mississippi under the provisions of the Fourteenth Article of the Treaty of Dancing Rabbit Creek? A Never heard it.

Q Has your father a Choctaw name? A Yes.

Q What is it? A I don't know.

Q Did your mother have a Choctaw name? A Lissie.

Q Did your wife's father have a Choctaw name? A Forbus.

Q Has your wife's mother a Choctaw name? A Ma-han-to-nah.

Q Do you know the names of any of your grand parents? A Jim Marris, my father's father.

Q Was he Choctaw, or a white man? A Whiteman.

Q Do you know the names of any of your other grand parents? A Bob Bell, my mother's father.

Q Was Bob Bell a white man? A No, half breed.

Q Do you know the names of either of your grand mothers? A Lap-ti-mah, my father's mother.

Q Do you know your mother's mother's name? A I don't know.

Q Do you know the names of any of your wife's grand parents? A John Frazier, my wife's father's father.

Q Did John Frazier have a Choctaw name? A Non-a-na-tubbee.

Q Do you know the names of any of the rest of them? A I don't know.

Q Are there any additional statements you want to make in support of this application? A No.

Q Have you any documentary evidence, affidavits, written testimony of any description, copies of records, deeds or patents, or any other proper papers showing that any of your ancestors, or any of your wife's ancestors, were recognized members of the Choctaw tribe of Indians in 1830, when the Treaty of Dancing Rabbit Creek was made, or that any of them ever complied or attempted to comply with the provisions of the Fourteenth Article of that Treaty, or ever received any benefits thereunder? A No.

(This applicant might easily be mistaken for a full blood Indian; he speaks the Choctaw language and very little English, the examination having been conducted chiefly through a sworn Choctaw interpreter. His wife is present before the Commission at this time, and has every appearance of being a full blood Indian; she does not speak the English language.)

The decision of the Commission as to the application made by you at this time for the identification of yourself and your wife and child as Mississippi Choctaws, will be determined at the earliest possible date, and a report of the same made to the Secretary of the Interior conformable to the provisions of the Twenty First Section of the Act of Congress of June 28, 1898, and a copy of the same will be mailed to you at your post office address as given in your testimony.

R.S. Streit, being first duly sworn, upon his oath states, that as stenographer to the Commission to the Five Civilized Tribes, he reported in full the proceedings had in the above entitled cause on the 3rd day of May, 1901, and that the foregoing is a full, true and correct translation of his stenographic notes of said

Jim Marris, et al., #4.

proceedings on said date.

R. S. Streich

Subscribed and sworn to before me at Meridian, Mississippi,
this 22nd day of May, 1901.

J. M. S.

Notary Public.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application of Jim Marris, et al., for identification as Mississippi Choctaws, M.C.R.2027.

.....D E C I S I O N.....

It appears from the record herein that application for identification as Mississippi Choctaws was made to this Commission on May 3, 1901, by Jim Marris for himself, his wife, Minerva Marris, and his minor child, Arch Marris, under the following provision of the act of Congress approved June 28, 1898, (30 Stat., 495):

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto and make report to the Secretary of the Interior."

From the evidence submitted in support of said application it appears that the wife of the principal applicant is a full-blood Mississippi Choctaw Indian. The other applicants are mixed-blood Choctaws and whatever rights as Mississippi Choctaws they may possess by reason thereof will be determined at a later date.

Section forty-one of the act of Congress entitled "An Act To ratify and confirm an agreement with the Choctaw and Chickasaw tribes of Indians, and for other purposes," approved July 1, 1902, (32 Stat., 641), and ratified by the Choctaw and Chickasaw Nations

September 25, 1902, provides as follows:

"The application of no person for identification as a Mississippi Choctaw shall be received by said Commission after six months subsequent to the date of the final ratification of this agreement and in the disposition of such applications all full-blood Mississippi Choctaw Indians and the descendants of any Mississippi Choctaw Indians whether of full or mixed blood who received a patent to land under the said fourteenth article of the said treaty of eighteen hundred and thirty who had not moved to and made bona fide settlement in the Choctaw-Chickasaw country prior to June twenty-eighth, eighteen hundred and ninety-eight, shall be deemed to be Mississippi Choctaws, entitled to benefits of article fourteen of the said treaty of September twenty-seventh, eighteen hundred and thirty, and to identification as such by said Commission, but this direction or provision shall be deemed to be only a rule of evidence and shall not be invoked by or operate to the advantage of any applicant who is not a Mississippi Choctaw of the full blood, or who is not the descendant of a Mississippi Choctaw who received a patent to land under said treaty, or who is otherwise barred from the right of citizenship in the Choctaw Nation, all of said Mississippi Choctaws so enrolled by said Commission shall be upon a separate roll."

It is, therefore, the opinion of this Commission that Minerva Marris should be identified as a Mississippi Choctaw, and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES,


Chairman.


Commissioner.


Commissioner.


Commissioner.

Muskogee, Indian Territory.

Muskogee, Indian Territory, April 2, 1903.

J. G. Ralls,

Attorney at Law,

Atoka, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 21st ultimo, enclosing the affidavit of the mother, Naffie Morris, and that of the midwife, Jane Bell, to the birth of Annie Morris, infant child of Jim and Naffie Morris, October 14, 1902, and the same have been filed with the records of the Commission.

Also the affidavit of the mother, Naffie Morris, and that of the midwife, Jane Bell, relative to the birth of Archer Morris, infant child of Jim and Naffie Morris, March 10, 1901, and the same are herewith returned you for the reason that it appears from the records of the Commission that on May 3, 1901, Jim Marris submitted his application for the identification of himself, his wife Minerva Marris, and his infant son Arch Marris, whom he testified was nine months old at the time he made application. It is believed that the Archer Morris named in the affidavits and the Arch Marris named in the application of Jim Marris are identically the same persons.

You are further advised that at the time Jim Marris submitted his application he testified that the name of his wife was

J G R 2

Minerva Harris, while the mother of the child named in the affidavits is Haffie Morris. It is requested that some explanation of this discrepancy in names be made.

Respectfully,

Chairman.

M. C. R. 2027

Muskogee, Indian Territory, August 25, 1903.

James Morris,

Ardmore, Indian Territory,

Dear Sir:

Receipt is hereby acknowledged of your letter of August 14, asking the status of your application for identification as a Mississippi Choctaw, and also requesting information relative to your child born September 1902.

In reply to your letter you are advised that it appears from our records that you are an applicant to this Commission for the identification of yourself and your wife and child as Mississippi Choctaws, and that no decision has been reached relative to your rights as such Mississippi Choctaws.

It further appears from our records that on March 23, 1902, affidavits as to the birth of Annie Marris, infant child of Jim and Naffie Marris were filed with the Commission, showing the date of the birth of this child as October 14, 1902.

Respectfully,

Commissioner in Charge.

M C R 2027

Muskogee, Indian Territory, October 20, 1903.

Jim Marris,

Ardmore, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 13th instant, in which you ask to be advised the status of your claim.

In reply you are informed that your right to identification as a Mississippi Choctaw has not yet been determined by the Commission. Upon the rendition of a decision in your case you will be duly notified thereof.

Respectfully,

Commissioner in Charge.

M C R 2027

Muskogee, Indian Territory, November 20, 1903.

James Morris,
Ardmore, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 14th instant, in which you ask if you could have land reserved for yourself, your wife, and children, pending the disposition of your application for identification as Mississippi Choctaws.

In reply you are informed that the Commission has not made any reservations of any of the lands of the Choctaw and Chickasaw Nations for applicants for identification as Mississippi Choctaws who have not been duly identified as such by the Commission to the Five Civilized Tribes.

Respectfully,

Chairman.

Muskogee, Indian Territory, November 28, 1903.

Jim Morris,

Ardmore, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 21st instant, relative to your application for identification as a Mississippi Choctaw. Therein you state "The question with us, is whether we would have the right to reserve land in the Choctaw or Chickasaw Nation until our case can be finally investigated."

In reply you are informed that it appears from our records that you made application to this Commission for the identification of yourself, your wife, Minerva Marris, and your minor child, Arch Marris, as Mississippi Choctaws, but as no decision has yet been rendered in your case, it is not believed that you and your family are at this time in any manner entitled to possessory rights of the tribal property of the Choctaw and Chickasaw Nations.

You are further advised that the Commission has not made any reservations of any of the lands of the Choctaw and Chickasaw Nations for applicants for identification as Mississippi Choctaws who have not been duly identified as such by the Commission

J M 2

to the Five Civilized Tribes.

Respectfully,

Chairman.

M C R 2582
M C R 2027 ✓
M C R 2933
M C R 5155

Muskogee, Indian Territory, January 16, 1904.

Dibbin Marris,

In care of W. P. Poland,

Ardmore, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 14th instant, in which you ask the status of the Mississippi Choctaw applications of the following named persons:

Dibbin Marris
Jas. Marris
Marris Marris

Coleman Marris
Edleman Bole
Fannie Reed

In reply you are informed that it appears from our records that Dibbin Marris, Coleman Marris, Jim Marris and Marris Marris are applicants to this Commission for the identification of themselves and families as Mississippi Choctaws, but as yet their rights to such identification have not been passed upon. When decisions are rendered in these cases the applicants will be duly notified of the action of the Commission.

It does not appear from our records that any persons by the name of Edleman Bole and Fannie Reed are applicants to this Commission for identification as Mississippi Choctaws.

Respectfully,

Chairman.

M.C.R.2027

Muskogee, Indian Territory, March 16, 1904.

Minerva Marris,

Ardmore, Indian Territory.

Dear Madam:

Enclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered March 12, 1904, identifying you as a Mississippi Choctaw Indian, under the provisions of section 41 of the act of Congress approved July 1, 1902, (32 Stat., 641).

Under the provisions of the law above cited, the person so identified, in order to avail herself of the benefits of such identification, must remove to and make settlement in the Choctaw-Chickasaw country, Indian Territory, on or before September 12, 1904, and must make proof of such removal and settlement on or before March 12, 1905, at the office of the Commission at Atoka, Choctaw Nation, or Tishomingo, Chickasaw Nation, Indian Territory.

Respectfully,

WMD

Commissioner in Charge.

Registered.
Enc.: MCR-2027.

M.C.R.2027

Copy.

Muskogee, Indian Territory, March 16, 1904.

J. G. Ralls,

Attorney-at-Law,

Atoka, Indian Territory.

Dear Sir:

You are hereby notified that the Commission to the Five Civilized Tribes, on March 12, 1904, rendered its decision identifying Minerva Harris as a Mississippi Choctaw Indian, under the provisions of section 41 of the act of Congress approved July 1, 1902, (32 Stat., 641).

Under the provisions of the law above cited, the person so identified, in order to avail herself of the benefits of such identification, must remove to and make settlement in the Choctaw-Chickasaw country, Indian Territory, on or before September 12, 1904, and must make proof of such removal and settlement on or before March 12, 1905, at the office of the Commission at Atoka, Choctaw Nation, or Tishomingo, Chickasaw Nation, Indian Territory.

Respectfully,

(SIGNED)

C. R. Breckinridge.

Commissioner in Charge.

Registered.

M.C.R.2027

COPY.

Muskogee, Indian Territory, March 16, 1904.

Mansfield, McMurray & Cornish,
Attorneys for the Choctaw and Chickasaw Nations,
South McAlester, Indian Territory.

Gentlemen:

Enclosed herewith you will find a copy of the decision of the Commission, rendered March 12, 1904, identifying Minerva Harris as a Mississippi Choctaw Indian, under the provisions of section 41 of the act of Congress approved July 1, 1902, (32 Stat., 641).

You are hereby advised that you will be allowed fifteen days from the date of this notice in which to file with the Commission such protest as you desire to make against the action of the Commission in identifying said Minerva Harris as a Mississippi Choctaw, and make satisfactory proof of service of said protest upon the applicant herein. If you fail to file protest within the time allowed, the name of the applicant herein will be placed upon the schedule of duly identified Mississippi Choctaws now being prepared by this Commission.

Respectfully,

(SIGNED)

C. B. Goodbridge

Commissioner in Charge.

Registered.
Enc.: MCR-2027.

M.C.R.2027

Muskogee, Indian Territory, April 1, 1904.

Minerva Marris,

Ardmore, Indian Territory.

Dear Madam:

Receipt is hereby acknowledged of your letter of March 26th, 1904, in which you ask if the Commission has sent you a "copy of my identification papers."

In reply you are informed that on March 12, 1904, the Commission rendered a decision identifying you as a full-blood Mississippi Choctaw. On March 16, 1904, a copy of such decision was enclosed to you in a registered letter, and the Commission holds receipt for same signed for you by W. A. Edwards, Ardmore, Indian Territory.

Respectfully,

Commissioner in Charge.

Muskogee, Indian Territory, May 23, 1904.

Jim Harris,

Ardmore, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 14th instant, in which you state "I would like to be informed whether my wife Nerry Harris has been fully identified, so she could file on her land or not."

In reply to your letter you are informed that it appears from our records that on March 12, 1904, the Commission rendered a decision identifying Minerva Harris as a full-blood Mississippi Choctaw, and on May 2, 1904, her identification as such was approved by the Secretary of the Interior. She may now appear before the Commission, either at the Land Office, at Atoka, Choctaw Nation, or Tishomingo, Chickasaw Nation, and there make selection of allotment of land in the Choctaw-Chickasaw country, Indian Territory.

Respectfully,

Commissioner in Charge.

COPY.

M.C.R. 2027

Muskogee, Indian Territory, September 27, 1904.

Jim Harris,

Ardmore, Indian Territory,

Dear Sir:

Inclosed you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered September 27, 1904, identifying you and your children, Arch Harris and Annie Harris, as Mississippi Choctaws.

Under the provisions of the Act of Congress approved July 1, 1902 (32 Stat., 641), an order for you to avail yourselves of the benefits thereof you must remove to and make settlement within the Choctaw-Chickasaw country, Indian Territory, on or before March 27, 1905-. The Act above referred to also provides that the proof of such settlement shall be made to this Commission within one year after the date of the identification of the persons herein named, as Mississippi Choctaws.

By the Act of Congress approved April 21, 1904 (Public No. 125), it is provided that the Commission shall close its work and terminate on or before the first day of July, 1905. It is, therefore suggested that you appear before the Commission, at the Choctaw Land Office, at Atoak, Indian Territory, or the Chickasaw Land Office, at Tishomingo, Indian Territory for the purpose of mak-

J. M. 2

ing proof of your removal to and settlement within the Choctaw-Chickasaw country, at the earliest practicable date.

Respectfully,

(SIGNED) *Tame Bixby.*

Chairman.

Registered.

Incl. M.E.R. 2027.

M C R 2027

Muskogee, Indian Territory, September 30, 1904.

Jim Marris,

Ardmore, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 12th instant, in which you ask to be advised when action will be taken by this Commission in your application for identification as a Mississippi Choctaw.

In reply to your letter you are informed that on September 27, 1904, the Commission rendered a decision identifying you and your two minor children, Arch and Annie Marris, as Mississippi Choctaws, of which action you were advised by registered mail on September 27, 1904.

Respectfully,

JD

Chairman.

M C R 2027
M C R 8034
M C R 2555

Muskogee, Indian Territory, April 1, 1905.

Wolfe & Wright,
Attorneys at Law,
Tishomingo, Indian Territory.

Gentlemen:

Receipt is hereby acknowledged of your letter of the 25th ultimo, transmitting applications for the identification as Mississippi Choctaws of Sam Marris, Effie Johnson and Willis Willis, born subsequent to September 25, 1902. You ask if these applications will be sufficient to enroll said children.

In reply you are advised that the Commission cannot at this time state what construction the Department will place upon the provisions of the Act of Congress approved March 3, 1905, relative to receiving applications for the enrollment of infant children. However, the applications forwarded by you will be received in order to protect any rights said children might have under the Act of Congress above referred to.

Respectfully,

Chairman.

Muskogee, Indian Territory, December 11, 1906.

The Honorable,

The Secretary of the Interior.

Sir:

November 1, 1906 (I T D 20540-1906), the Department transmitted to the Commissioner to the Five Civilized Tribes the record in the Mississippi Choctaw application of Cornelia Presley, et al., accompanied by a motion for rehearing, and stated that the affidavits in support of the motion are somewhat meager, but they suggest the possibility that the applicant might be entitled to a rehearing, as the allegation is made that the applicant's cousin, Minerva Morris, formerly Minerva Forbes, daughter of a sister of the applicant's father, has been identified as a Mississippi Choctaw; that it is not known or stated in the affidavits how Minerva Morris was identified, whether as a full blood under section 41 of the Act of Congress approved July 1, 1902 (32 Stats., 641), or by proof of compliance by her ancestor with article 14 of the treaty of 1830, nor is it alleged in any of the affidavits accompanying the motion that Minerva Morris established her claim as a descendant of the alleged ancestor of Cornelia Presley, but this office is directed to make an investigation in this matter in such manner as is deemed advisable and make recommendation to the Department.

The records of this office show that Cornelia Presley, who is a rejected Mississippi Choctaw claimant, based her claim to identification upon her descent from one Tubbee (or Billy Tubbee, or Turby) and Patsey Turby, who are alleged to have been full blood Choctaw Indians, and to have resided in Mississippi in 1830.

Cornelia Presley did not in her original application or in her motion for rehearing, claim as a full blood Mississippi Choctaw.

The Minerva Morris mentioned in Departmental letter of November 1st, appears to be the daughter of Forbus and Mary Frazier, both full blood Mississippi Choctaws. Her name is found upon a schedule of duly identified Mississippi Choctaws, as Minerva Marris, opposite number 1979, approved by the Secretary of the Interior May 2, 1904, and upon a partial list of duly enrolled Mississippi Choctaws opposite number 1241, approved June 19, 1906.

While it is possible that Cornelia Presley and Minerva Marris are related, the record in their cases does not establish such relationship, and further, it is not seen how the identification of Minerva Marris as a full blood Mississippi Choctaw can be of any benefit to Cornelia Presley in view of the evidence heretofore submitted in her case.

The papers transmitted with Departmental letter of November

-3-

1, 1906 (I T D 20540-1906), are respectfully returned herewith,
and it is recommended that Cornelia Presley be not granted a re-
hearing in the matter of her Mississippi Choctaw application.

Respectfully,

Commissioner.

Through the Commissioner
of Indian Affairs.

McM 11/1

**FOR IDENTIFICATION AS
A MISSISSIPPI CHOCTAW**

IN RE

Application for Enrollment of

INFANT CHILD

Arch Marris.

as a citizen of

MISSISSIPPI CHOCTAW.

Nation.

Approved,

190

**FOR IDENTIFICATION AS
A MISSISSIPPI CHOCTAW.**

Commissioner.

The application herein is accepted by the Commission as evidence of the birth of this child, and not as an application for its enrollment as a citizen of the Choctaw Nation; and is to be filed with and made a part of the original application of its parents for identification as Mississippi Choctaws.



Acting Chairman.

April, 6th, 1901.

127

Recd. April 6, 1901

MISSISSIPPI CHOCTAW.

222

Mississippi Choctaw Child No 222.

BIRTH AFFIDAVIT.

20

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

FOR IDENTIFICATION AS

A MISSISSIPPI CHOCTAW

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,
of Arch Marrie, about 15 day of October, 1900
(Here insert name of child)
Name of Father: Jim Marrie, a citizen of the Choctaw Nation.
Name of Mother: Minerva Marrie, a citizen of the Choctaw Nation.
Post-office, north Bend, Miss.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA.

State of Mississippi

I, Minerva Marrie, on oath state that I am 20
years of age and a Choctaw Indian by blood
that I am the lawful wife of Jim Marrie, who is a Choctaw Indian by
blood; that a male child was
born to me on the 15 day of October, 1900; that said child has been
named Arch Marrie, and is now living.

WITNESSES TO MARK

(Must be Two)
Witnesses

G. L. Emerson
R. A. Street
Minerva Marrie
mark

Subscribed and sworn to before me this

3 day of May, 1901.

Howell I. Lugin
Justice of the Peace
Dist No 1 Neshoba County

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA.

State of Mississippi

I, Jim Marrie, on oath state that I
attended on my wife Minerva Marrie
on the 15 day of October, 1900; that there was born to her on
said date a male child; that said child is now living and has been
named Arch Marrie.

WITNESSES TO MARK

(Must be Two)
Witnesses

G. L. Emerson
R. A. Street
Jim Marrie
mark

Subscribed and sworn to before me this

3 day of May, 1901.

Howell I. Lugin
Justice of the Peace
Dist No 1 Neshoba County

Baby in mother's arms exhibited to
Commissioner

G. L. Emerson, Philadelphia, Miss May 3rd 1901.

72611
REFER TO

VISION REND

IDENTIFIED

Y OF DECISION FORWARDED APPLICANT

OTICE OF
AETORN

RWARDED
CANTS.

RWARDED
TAW AND

No

For Identification as a Mississippi Choctaw.

Date MAY 3 1901

Name Jim Marris

Age 23 Blood $\frac{5}{8}$

Post Office, North Bend, Miss

Father: Litten Morris $\frac{1}{2}$ S

Mother: Jennie " $\frac{3}{4}$ (dead)
(Lissie)

Claims through both parents
(both)

wife Minerva Marris 20

Father Fortus Frazier (dead)

Mother Mary (ma-han-to-nah) L

Children:

Oleh Marris 9mo.

See Miss Choc. (Card Filed
as to Jim Marris)

No 222. Testimony of 5/31/99

Claims for himself, his
wife and one minor
child).

Stenographer

R. S. Street

Choctaw MCR 2028

Mary Ann Reyer

MCR 2028

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
Meridian, Mississippi, May 6th, 1901.

In the matter of the application for the identification as
a Mississippi Choctaw of Mary Ann Reyer.

Said Mary Ann Reyer, being first duly sworn, testified as
follows:-

Examination by the Commission.

Q What is your name? A Mary Ann Reyer.
Q How old are you? A 21.
Q Where do you live? A In Mississippi.
Q What is your postoffice address? A Hillsdale.
Q What County is that? A Pearl River County.
Q How long have you lived in Mississippi? A 21 years.
Q Born here? A Yes sir.
Q Never have lived anywhere else? A No sir.
Q What is your father's name? A Christopher Columbus Reyer.
Q Is your father living? A No sir.
Q Was your father a Choctaw Indian? A They claim to be.
Q Through which one of your parents do you claim your rights as
a Choctaw Indian? A My father.
Q How much Choctaw was he? A I couldn't really say but old
heads says he was full blood.
Q Did he speak the Choctaw language? A Yes sir, he could speak.
Q You can't speak it, can you? A No sir.
Q Did your father always live here in Mississippi? A Yes sir.
Q Where was he born? A Mississippi.
Q He always recognized by the full blood Choctaws here as a mem-
ber of that Tribe? A Yes sir.
Q What is your mother's name? A Melvina Reyer.
Q Is your mother living? A No sir.
Q Did your ~~xxx~~ mother have any Choctaw blood? A No sir.
Q What nationality was she? A She was English.
Q White woman? A Yes sir.
Q You claim your rights through your father? A Yes sir.
Q How much Choctaw blood do you claim? A Half.
Q Have you any evidence showing that your father was ever recog-
nized as a member of the Choctaw Tribe of Indians in any manner?
A No sir.
Q Is your name on any of the tribal rolls of the Choctaw Nation in
Indian Territory? A No sir.
Q Have you ever made application to the Choctaw Tribal authorities
in the Indian Territory to be enrolled with the Choctaw Tribe there?
A No sir.
Q Did you make application to the Commission to the Five Civilized
Tribes for citizenship in the Choctaw Nation under the Act of Con-
gress of June 10, 1896? A No sir.
Q Did anyone make an application for you? A No sir.
Q Have you ever been admitted to citizenship in the Choctaw Nation
by the Choctaw Tribal authorities, the Commission to the Five Civ-
ilized Tribes or by the United States Court in Indian Territory?
A No sir.
Q Have you ever made an application to be enrolled or admitted to
citizenship in the Choctaw Nation before this? A No sir.
Q This is the first application you have ever made or anyone has
made for you? A Yes sir.
Q You are now making application for identification as a Mississip-
pi Choctaw? A Yes sir.
Q You are applying for yourself alone? A Yes sir.
Q Never been married? A No sir.
Q You claim your rights as a beneficiary under the provisions of
the 14th article of the treaty of 1830? A Yes sir.

Q Have you ever received any benefits as a Choctaw Indian?

A No sir.

Q Have any of your ancestors ever received any benefits as Choctaws? A No sir, not as I know of.

Q What is the name of your ancestor or ancestors who were residents of the State of Mississippi at the time this treaty was entered into between the United States and the Choctaw Tribe of Indians?

A My father's father, John Reyer.

Q Was your father living here in 1830? A Yes sir.

Q How old would he be if he was living now? A I don't know as I could tell you exactly but he was born in '29.

Q What was his father's and mother's name? A His father was named John Reyer.

Q Did he have any Choctaw name? A No sir, not as I know of.

Q Have you any evidence showing that your father or his parents were recognized members of the Choctaw Tribe here in 1830?

A No sir, not as I know of.

Q Did any of your ancestors move from Mississippi to the Choctaw Nation in Indian Territory at the time of the removal of the Choctaw Indians in 1833 to 1838? A No sir.

Q Did any of your ancestors within six months after the ratification of the treaty of 1830 signify to the United States Indian Agent of the Choctaws here in Mississippi their intention to remain here and become citizens of the United States? A No sir.

Q Did any of your ancestors ever claim or receive any land from the United States Government under the provisions of the 14th article of the treaty of 1830? A No sir.

Q Making this claim solely for yourself, are you? A Yes sir.

Q Is there any additional statement that you desire to make relative to your Choctaw rights or as to your ancestors being recognized as Choctaw Indians? A No sir.

Q Have you any documentary evidence, any written testimony, affidavits, copies of records, deeds or patents, any papers of any description that would in any manner show that your ancestors were ever recognized as members of the Choctaw Tribe of Indians or that they ever complied or attempted to comply with the provisions of the 14th article of the treaty of 1830? A Yes sir.

There is offered in evidence, filed and made a part of the records in this case the affidavit of H. G. Stewart, same being marked "Exhibit 'A'".

Examination by John S. Hagler, attorney for applicant.

Q Who is this man Stewart, what occupation has he? A He is a farmer and a stock man.

Q Has he ever held any official positions over there in that section? A Yes sir, he has been a member of the Legislature.

Q From what County? A Pearl River County.

By the Commission.

This applicant has the complexion of a Choctaw Indian but none of the facial characteristics common to full blood Choctaws in this section of Mississippi. She is unable to speak the Choctaw language and has no knowledge of any compliance by her ancestors with the provisions of the 14th article of the treaty of 1830.

The decision of the Commission as to your application for identification as a Mississippi Choctaw will be determined at the earliest possible date and report of the same made to the Secretary of the Interior, conformable to the provisions of the 21st section of the Act of Congress of June 28, 1898, and copy of such decision will be mailed to you to your post-office address as given in your testimony at this time.

Mary Ann Reyer---3

Ira S. Niles, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes he reported in full the proceedings had in the above entitled cause, heard at Meridian, Mississippi, May 6th, 1901, and that the above and foregoing is a full, true and correct transcription of his stenographic notes taken on the day and date above mentioned.

Ira S. Niles

Subscribed and sworn to before me this 13th day of May, AAD1901,
at Meridian, Mississippi.

J. M. [Signature]
Notary Public.

Muskogee, Indian Territory, October 6, 1902.

Mary Ann Reyer,

Hillsdale, Mississippi.

Dear Madam:

You are hereby advised that on the 6th day of October, 1902, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Henry Lewis Reyer, et al., embracing the following applications for identification as Mississippi Choctaws:

Henry Lewis Reyer,	M.C.R. 2076
John Reyer, et al.,	M.C.R. 2081
Christopher Reyer,	M.C.R. 2079
Louisa Reyer,	M.C.R. 2080
Mary Ann Reyer,	M.C.R. 2028

These applications were made under the provision of the act of Congress of June 28, 1898 (30 Stats. 495) which is as follows:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto, and make report to the Secretary of the Interior."

Said decision concludes as follows:

"It is therefore the opinion of this Commission that the evidence in this case is insufficient to determine the identity of Henry Lewis Reyer, John Reyer, Joseph Reyer, John Reyer, Jr., James Reyer, Jacob Reyer, Christopher Reyer, Louisa Reyer and Mary Ann Reyer as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen

M. A. R. 2

of the treaty of eighteen hundred and thirty, and that the application for their identification as such should be refused, and it is so ordered.*

You are further advised that the Commission has on this date forwarded the record in this case to the Secretary of the Interior for review and you will be informed in due time of such action as may be taken by him.

Respectfully,

Acting Chairman.

Registered.

M.C.R. 2028

COPY.

Muskogee, Indian Territory, March 6, 1903.

Mary Ann Reyer,

Hillsdale, Mississippi.

Dear Madam:

You are hereby notified that on the 20th day of February, 1903, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaw of the several persons included in the consolidated case of Henry Lewis Reyer, et al., of which decision you were advised by registered mail on the 6th day of October, 1902.

Respectfully,

Tamr Dixby.
Chairman.

Ann Reyer

REFUSED

RECEIVED

RECEIVED

1902

NOT
APPLICANTS.

30

FOR

6 1902

1902

ACT. APPROVED

1902

ACT. APPROVED

MAR 6 1903

ACT. APPROVED

MAR 6 1903

ACT. APPROVED

RECEIVED

For Identification as a Mississippi Choctaw.

Date MAY - 6 1901

Name Mary Ann Reyer.

Age 21 Blood $\frac{1}{2}$.

Post Office Hillsdale, Miss

Father: Christopher C. Reyer - dead.

Mother: Melvina Reyer - dead.

Claims through father

Children:

Quinn R. Reyer

Stenographer

J. S. Niles

Choctaw MCR 2029

Frank McMillan

MCR 2029

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

---0---

In the matter of the application of Frank McMillan, et al.,
for identification as Mississippi Choctaws, M.C.R. 2029.

List of papers forwarded to the Secretary of the Interior
comprising the record in the case of
Frank McMillan, et al.

(Page)

Original application of Frank McMillan, et al., before the Dawes Commission for identification as Mississippi Choctaws	1
Affidavit of Sarah Jones	4
Affidavit of Mrs. E. Clementine Aaron	5
Decision of the Commission refusing the application of Frank McMillan, et al., for identification as Mississippi Choctaws	6

-----0-----

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
Meridian, Mississippi, May 6th, 1901.

In the matter of the application for identification as Mississippi Choctaws of Frank McMillan and his three minor children.
Said Frank McMillan, being first duly sworn, testified as follows:-

Examination by the Commission.

Q What is your name? A Frank McMillan.
Q How old are you? A 30.
Q Where do you live? A Perry County, Brooklyn, Mississippi.
Q How long have you lived in Mississippi? A Born and raised here.
Q Never lived anywhere else? A No sir.
Q What is your father's name? A Jammus McMillan.
Q Is your father living? A No sir.
Q Was your father a Choctaw Indian? A Yes sir.
Q How much Choctaw was he? A Full blood.
Q Could he speak the Choctaw language? A Yessir, I think he did.
Q Did you ever hear him speak it? A No sir, I was too small.
Q How was your father considered here among the Choctaw Indians?
Q I couldn't tell you that.
Q What authority have you for making the statement that your father was a full blood Choctaw? A My mother said so.
Q Was he ever a slave? A No sir.
Q Where was he born? A Born in Mississippi.
Q Have you any evidence showing that your father was ever a recognized member of the Choctaw Tribe of Indians? A Not as I know of.
Q How do you know he was a full blood Choctaw? A Well, he married my mother and she said he was.
Q Can you speak the Choctaw language? A No sir.
Q What is your mother's name? A Her name is Sarah Jones.
Q Was she a Choctaw? A No sir.
Q Was she a freeman? A
Q Was she an African? A Yes sir.
Q Was she ever a slave? A Yes sir.
Q Is your mother living? A Yes sir.
Q Were your mother and father married? A Yes sir.
Q When? A About the last of the War.
Q How were they married? A They married by license, I reckon.
Q Have you any evidence of the marriage of your mother and father?
A None but by her; she said they were married.
Q How long have they lived together as man and wife? A I don't know sir.
Q You claim your rights through your father? A Yes sir.
Q How much Choctaw blood do you claim? A Half.
Q Are you married? A Yes sir.
Q What is your wife's name? A Catherine.
Q Your wife a negro? A Yes sir.
Q Making any claim for her? A No sir.
Q Have you ever been considered among the Choctaws here in Mississippi as a Choctaw Indian? A Yes sir, by them I have.
Q How? A By them saying so.
Q Did the Choctaws here in Mississippi associate with you?
A Yes sir.
Q Do you speak their language? A No sir.
Q Were your father's foreparents full blood Choctaws? A Yes sir.
Q Did they speak the Choctaw language? A Yes sir.
Q Did your father have a Choctaw name? A Not as I know of.
Q How many children have you? A 3.

Q What are their names and ages? A Oldest's name is Cindy, 13 years old.
Q Next one? A Lucy, 12 years old.
Q Next one? A Sallie, 10 years old.
Q Is Catherine McMillan the mother of these three children?
A Yes sir.
Q You the father of them? A Yes sir.
Q When were you and Catherine McMillan Married? A About 14 years ago.
Q In Mississippi? A Yes sir.
Q Married under a license? A Yes sir.
Q Have you your marriage license and certificate with you? A
A No sir.

It will be necessary that evidence of your marriage to your wife be supplied in the matter of the application for the identification of these children.

Q Is your name and the names of these children on any of the tribal rolls of the Choctaw Nation in Indian Territory? A No sir.
Q Have you or has anyone for you or for these children ever made application to the Choctaw Tribe in Indian Territory to be admitted to citizenship? A No sir.
Q Did you or did anyone for you or for these children in 1896 make application to the Commission to the Five Civilized Tribes for citizenship in the Choctaw Nation under the Act of Congress of June 10, 1896? A No sir.
Q Have you or your children ever been admitted to citizenship in the Choctaw Nation by the Choctaw Tribal authorities, the Commission to the Five Civilized Tribes or by the United States Court in Indian Territory? A No sir.
Q Have you or has anyone for you ever made an application for citizenship in the Choctaw Nation prior to this time? A No sir.
Q This is the first application you have ever made of any description? A Yes sir.
Q You are now making application for the identification of yourself and your three minor children as Mississippi Choctaws?
A Yes sir.
Q Do you claim your rights as beneficiaries under the provisions of the 14th article of the treaty of 1830? A Yes sir.
Q Have you ever received any benefits as a Choctaw Indian? A
A No sir.
Q Have any of your ancestors ever received any benefits as Choctaw Indians? A No sir.
Q Did any of your ancestors after the ratification of the treaty of 1830 move from the State of Mississippi to the Choctaw Nation in Indian Territory with the other Choctaw Indians? A No sir.
Q Did any of them, within six months after the ratification of that treaty, signify to the Indian Agent of the Choctaws in Mississippi their intention to remain here and become citizens of the United States? A No sir.
Q Did any of your ancestors ever claim or receive any land here in Mississippi as beneficiaries under the 14th article of the treaty of 1830? A No sir.
Q Is there any additional statement that you desire to make in support of this application? A No sir.
Q Have you any documentary evidence, any written testimony of any description, copies of records, deeds or patents, or any proper papers, that might show that your ancestors were ever recognized members of the Choctaw Tribe of Indians in Mississippi or that they ever complied or attempted to comply with the provisions of the 14th article of the treaty of 1830? A No sir.

Examination by John S. Hagler, attorney for applicant.

Q How old were you when your father died? A I don't know sir.
Q About how old? A I was a baby.

Applicant will ask for time in which to furnish certified copy of his marriage license and also to file what evidence in writing he may be able to obtain in support of his claim.

By the Commission.


Permission is granted attorney for applicant to file written evidence in support of this application provided the same is offered for filing with the records of the Commission within thirty days from the date hereof.

The applicant in this case has all the appearance of a negro, none of the characteristics of a Choctaw Indian, is unable to speak the Choctaw language and has no knowledge of any compliance by his ancestors with the provisions of the 14th article of the treaty of 1830.

The decision of the Commission as to your application and the application you make on behalf of your three minor children for identification as Mississippi Choctaws will be determined at the earliest possible date and report of the same made to the Secretary of the Interior, conformable to the provisions of the 21st section of the Act of Congress of June 28, 1898, and a copy of such decision will be mailed to you to your proper postoffice address as given in your testimony at this time.

Ira S. Niles, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he reported in full the proceedings had in the above entitled cause, heard at Meridian, Mississippi, May 6th, 1901, and that the above and foregoing is a full, true and correct transcription of his stenographic notes taken on the day and date above mentioned.

Subscribed and sworn to before me this 13th day of May, A.D. 1901, at Meridian, Mississippi.


Notary Public.

copy

J. H. N.
C. W. W.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

---0---

In the matter of the application of Frank McMillan, et al.,
for identification as Mississippi Choctaws, M.C.R. 2029.

--: D E C I S I O N :--

It appears from the record herein that application for identification as Mississippi Choctaws was made to this Commission by Frank McMillan for himself and his three minor children, Cindy, Lucy and Sallie McMillan, under the following provision of the act of Congress approved June 28, 1898 (30 Stats., 495):

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto and make report to the Secretary of the Interior."

It also appears that all of said applicants claim rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-

seventh, eighteen hundred and thirty, by reason of being descendants of one Jammus (or Jemus) McMillan, who is alleged to have been a full blood Choctaw Indian.

It further appears from the evidence submitted in support of said application, and from the records in the possession of the Commission, that none of said applicants has ever been enrolled by the Choctaw tribal authorities as a member of the Choctaw tribe, or admitted to Choctaw citizenship by a duly constituted court or committee of the Choctaw Nation, or by the Commission to the Five Civilized Tribes, or by a decree of the United States Court in Indian Territory, under the provisions of the act of Congress approved June 10, 1896 (29 Stats. 321).

It does not appear from the testimony and evidence offered in support of said application, or from the records in the possession of the Commission relating to persons who complied or attempted to comply with the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and to persons who heretofore were claimants thereunder, that the said Jammus (or Jemus) McMillan signified (in person or by proxy) to Colonel Wm. Ward, Indian Agent, Choctaw Agency, an intention to comply with the provisions of said article fourteen, or presented a claim to rights thereunder to either of the Commissions authorized to adjudicate such claims by the acts of Congress approved March 3, 1837 (5 Stats. 180) and August 23, 1842 (5 Stats. 513).

It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Frank

McMillan, Cindy McMillan, Lucy McMillan and Sallie McMillan, as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the application for their identification as such should be refused, and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES,

(SIGNED)

James Bixby.

Acting Chairman.

(SIGNED)

T. B. Needles.

Commissioner.

(SIGNED)

C. R. Breckinridge.

Commissioner.

Muskogee, Indian Territory,

DEC 18 1902

204

Muskogee, Indian Territory, December 18, 1902.

Frank McMillan,

Brooklyn, Mississippi.

Dear Sir:-

You are hereby advised that on the 18th day of December, 1902, the Commission to the Five Civilized Tribes rendered a decision in the case of Frank McMillan, et al., applicants for identification as Mississippi Choctaws.

This application was made under the provision of the act of Congress of June 28, 1898, (30 Stats., 495), which is as follows:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto and make report to the Secretary of the Interior."

Said decision concludes as follows:

"It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Frank McMillan, Cindy McMillan, Lucy McMillan and Sallie McMillan as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the application for their identification as such should be refused, and it is so ordered."

You are further advised that you will be allowed fifteen days from the date hereof within which to file arguments in this office.

F. McM., 2.

and that at the expiration of said time the papers in the case, together with such arguments, will be forwarded to the Secretary of the Interior through the Commissioner of Indian Affairs.

Respectfully,

Tame Bixby
Acting Chairman.

Registered.

COP-

Muskogee, Indian Territory, December 18, 1902.

Mansfield, McMurray & Cornish,

Attorneys for the Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:

You are hereby advised that on the 18th day of December, 1902, the Commission to the Five Civilized Tribes rendered a decision in the case of Frank McMillan, et al., applicants for identification as Mississippi Choctaws.

This application was made under the provision of the act of Congress of June 28, 1898, (30 Stats., 495).

Said decision concludes as follows:

"It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Frank McMillan, Cindy McMillan, Lucy McMillan and Sallie McMillan as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the application for their identification as such should be refused, and it is so ordered."

You are further advised that the applicants in this case have been allowed fifteen days from the date hereof within which to file arguments in this office, and that at the expiration of said time the papers in the case, together with such arguments, will be forwarded to the Secretary of the Interior through the Commissioner of Indian Affairs.

Respectfully,

Tamm Dixey.
Acting Chairman.

COPY

Muskogee, Indian Territory, December 18, 1902.

J. S. Hagler,

Attorney-at-Law,

Bowie, Texas.

Dear Sir:-

You are hereby advised that on the 18th day of December, 1902, the Commission to the Five Civilized Tribes rendered a decision in the case of Frank McMillan, et al., applicants for identification as Mississippi Choctaws.

This application was made under the provision of the act of Congress of June 28, 1898, (30 Stats., 495), which is as follows:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto and make report to the Secretary of the Interior."

Said decision concludes as follows:

"It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Frank McMillan, Cindy McMillan, Lucy McMillan and Sallie McMillan as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the application for their identification as such should be refused, and it is so ordered."

You are further advised that the applicants in this case have been allowed fifteen days from the date hereof within which to file

J. S. H., 2.

arguments in this office, and that at the expiration of said time the papers in the case, together with such arguments, will be forwarded to the Secretary of the Interior through the Commissioner of Indian Affairs.

Respectfully,

Tamc Bixby.
Acting Chairman.

Registered.

GOV

Muskogee, Indian Territory, January 3, 1903.

The Honorable,

The Secretary of the Interior.

Sir:

There is transmitted herewith the record in the case of Frank McMillan, et al., applicants to the Commission for identification as Mississippi Choctaws, including the decision of the Commission of December 18, 1902.

The Commission has the honor to report that the principal applicant herein, his attorney of record and the attorneys for the Choctaw and Chickasaw Nations have been duly advised by letter of the action of the Commission, copies of said letters being attached to the record.

Respectfully,

Samuel D. Smith
Acting Chairman.

Through the
Commissioner of Indian Affairs.

ENC.: M.C.R.2029.

D.C. 12912

C O P Y.

J.W.H.

DEPARTMENT OF THE INTERIOR.

FHE

W A S H I N G T O N.

I.T.D. 2130-1903.

April 30, 1903.

L R S

Commission to the Five Civilized Tribes,
Muskogee, Indian Territory.

Gentlemen:

January 3, 1903, you transmitted the record in the case involving the application for identification as Mississippi Choctaws of Frank McMillan, (M.C.R. 2029) for himself and his three minor children, Cindy, Lucy and Sallie McMillan, including your decision of December 18, 1902, refusing to identify them as such.

The principal applicant is an one-half blood Choctaw who was "born and raised" in Mississippi. He is unable to trace his descent from a more remote ancestor than his father, Jemus (Or Jamus) McMillan, who was a full blood Choctaw and a native of Mississippi by birth. The mother of said applicant is an ex-slave named Sarah Jones.

The testimony as furnished by the record fails to show that these applicants or any of their alleged ancestors ever complied or attempted to comply in person or by proxy, with the provisions of article 14 of the treaty of September 27, 1830, or with the subsequent acts of Congress relating thereto. It further appears that the records of the government in your possession, as well as those at the Indian Office, fail to show that any person whatever bearing the name of any of the alleged ancestors ever complied or attempted to

-2-

comply with said article or acts.

The Department is therefore of the opinion, in view of the testimony now before it, that these applicants have failed to establish their claims.

Reporting in the matter February 24, 1903, the Acting Commissioner of Indian Affairs recommends that your decision be approved. A copy of his letter is inclosed.

The Department finds no reason to disturb your decision, and it is hereby affirmed.

, Respectfully,

THOS. Ryan.

Acting Secretary.

1 inclosure.

(COPY)

Land
1447-1903.

DEPARTMENT OF THE INTERIOR,

Office of Indian Affairs,

Washington, Feb. 24, 1903.

The Honorable,

The Secretary of the Interior.

Sir:

There is transmitted herewith the record and proceedings had before the Commission to the Five Civilized Tribes in the matter of the application of Frank McMillan for the identification of himself and his three minor children, Cindy, Lucy, and Nellie McMillan, as Mississippi Choctaws.

On December 18, 1902, the Commission rendered a decision in this case finding that the evidence submitted in behalf of the applicants is insufficient to determine their identity as Mississippi Choctaw Indians entitled to lands in the Choctaw Nation under the provisions of article 14 of the treaty of 1830, and that their application for such identification should be refused.

An examination of the record evidence shows that the principal applicant, Frank McMillan, claims to have inherited his Choctaw blood from his father, Jammus McMillan, or Jemus McMillan; but neither the record evidence nor an examination of the records of this office shows that any person by the name of Jammus or Jemus McMillan ever complied or attempted to comply

with the provisions of article 14 of the treaty of 1830, or received a patent for land thereunder. The record evidence shows that none of the applicants is a Choctaw Indian of the full blood.

By reason of the premises the office considers that said decision of the Commission is correct and recommends that it be affirmed by the Department.

Very respectfully,

A. C. Tenner,

Acting Commissioner.

W.C.B.(S)

COMMISSIONERS
TAMM BIXBY,
THOMAS B. NEEDLES,
C. R. BRECKINRIDGE,
W. E. STANLEY.

ALLISON L. AYLESWORTH,
SECRETARY

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

REFER IN REPLY TO THE FOLLOWING

M.C.R. 2029.

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

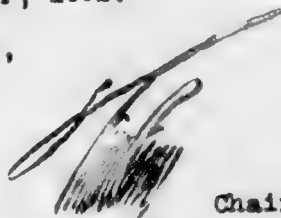
Muskogee, Indian Territory, May 9, 1903.

Frank McMillan,
Brooklyn, Mississippi.

Dear Sir:

You are hereby notified that on the 30th day of April, 1903, the Secretary of the Interior affirmed the decision of this Commission refusing the application for identification as Mississippi Choctaws of the several persons included in the case of Frank McMillan, et al., of which decision you were advised by registered mail on the 18th day of December, 1902.

Respectfully,



Chairman.

M.C.R. 2029.

COPY.

Muskogee, Indian Territory, May 9, 1903.

J. S. Hagler,
Attorney at Law,
Bowie, Texas.

Dear Sir:

You are hereby notified that on the 30th day of April, 1903, the Secretary of the Interior affirmed the decision of this Commission refusing the application for identification as Mississippi Choctaws of the several persons included in the case of Frank McMillan, et al., of which decision you were advised by registered mail on the 18th day of December, 1902.

Respectfully,

Tame Bixby.
Chairman.

M.C.R. 2029.

COPY.

Muskogee, Indian Territory, May 9, 1903.

Mansfield, McMurray & Cornish,

Attorneys for Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:

You are hereby notified that on the 30th day of April, 1903, the Secretary of the Interior affirmed the decision of this Commission refusing the application for identification as Mississippi Choctaws of the several persons included in the case of Frank McMillan, et al., of which decision you were advised by mail on the 18th day of December, 1902.

Respectfully,

Lewis Dixon
Chairman.

For Identification as a Mississippi Choctaw.

Date MAY - 6 1901

Name Frank Mc. Millan.

Age 30. Blood $\frac{1}{2}$.

Post Office Brooklyn, Miss

Father: James Mc. Millan - dead.

Mother: Sarah Jones - ✓

Claims through Father

WIFE:

Catherine Mc. Millan -
(no claims for wife).

Children:

Cindy Mc. Millan 13.

Lucy " " 12.

Sallie " " 10.

Stenographer:

J. I. Niles.

REFUSED.

R. 2029

Frank Mc Millan et al.

REFUSED

DECISION PREPARED FEB 11 1902

NOT FORWARDED TO APPLICANT

MAY 18 1902

NOT FORWARDED TO APPLICANT

FORWARDED TO APPLICANT

FORWARDED TO APPLICANT

JAN 1902

NO DEPARTMENTAL ACTION
FORWARDED TO ATTORNEYS FOR CHOCTAW
AND CHICKASAW NATIONS.

MAY 11 1902

NO DEPARTMENTAL ACTION
FORWARDED TO APPLICANT.

NO DEPARTMENTAL ACTION
FORWARDED TO ATTORNEYS

ACTION APPROVED BY SECRETARY OF INTERIOR.

APR 30 1902

7
DECISION PREPARED

2029



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COMMISSION TO

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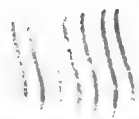
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AUG 11 1903

Handwritten signature or initials

CHAM



Department of the Interior.

Commission to the Five Civilized Tribes,

MUSKOGEE, INDIAN TERRITORY.

OFFICE OF THE COMMISSIONER.

Ready for private use, \$300.



~~FRANK McMillan,~~

Brooklyn, Mississippi.

General Office

*Notice that the office has affirmed
Commissioner's decision*

11

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CONTINUED TO THE RES.

FEB 10 1906

ACTING CHAIRMAN

Department of the Interior.

Commission to the Five Civilized Tribes,

MUSKOGEE, IND. TER.

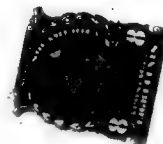
OFFICIAL BUSINESS.

Penalty for private use, \$300.

6004

Frank McMillan,

Brooklyn, Mississippi.



Choctaw MCR 2030

Ann Holloway

MCR 2030

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application of Ann Holloway, et al.,
for identification as Mississippi Choctaws, H.C.R. 2023.

List of papers
forwarded to the Secretary of the Interior, with the record in the
above case, together with the page occupied by each
in said record.

	page
Original application of Ann Holloway, et al., to the Dawes Commission for identification as Mis- sissippi Choctaws,.....	1
Ex parte affidavit of Dick Hutchinson,.....	4
Ex parte affidavit of Bob Williams,.....	5
Ex parte affidavit of Jackson Masley,.....	6
Ex parte affidavit of Dick Hutchinson,.....	7
Ex parte affidavit of Sallie Mason,.....	8
Decision of the Commission refusing the appli- cation of Ann Holloway, et al., for identification as Mississippi Choctaws,.....	9

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
Meridian, Mississippi, May 6th, 1901.

In the matter of the application for identification as
Mississippi Choctaws of Ann Holloway and one minor child.
Said Ann Holloway, being first duly sworn, testified as
follows:-

Examination by the Commission.

Q What is your name? A Ann Holloway.
Q How old are you? A 44.
Q Where do you live? A York, Alabama.
Q How long have you lived in Alabama? A Been living there all
my life, except one year, lived in the State of Mississippi one year.
Q Where were you born? A Born in Alabama.
Q What is your father's name? A Calvin Sumner.
Q Is your father living? A No sir.
Q Was your father a Choctaw Indian? A Half Choctaw Indian.
Q What else was he? A Negro.
Q Was he ever a slave? A I don't know, sir, reckon he was.
Q Do you claim your rights through your father? A Yes sir.
Q What is your mother's name? A Jane Sumner.
Q Is your mother living? A No sir.
Q Was your mother a Choctaw Indian? A She was a Choctaw Indian,
from her mother's side.
Q Through which one of your parents do you claim your Choctaw
rights? A Through my father and mother too, from her mother;
her mother was a whole Indian and her father was a half Choctaw
Indian and my father was.
Q Was your mother ever a slave? A Yes sir.
Q Have you any evidence showing that either your father or mother
were recognized members of the Choctaw Tribe of Indians? A Well,
I reckon I shows it.
Q How much Choctaw was your father? A He was half. My
mother was three fourths.
Q How much Choctaw blood do you claim? A I don't know, sir.
Q How much Choctaw are you? A I reckon I ought to be about
a quarter.
Q Can you speak the Choctaw language? A No sir.
Q Could your mother or father speak the Choctaw language?
A No sir.
Q Where was your father born? A In Alabama.
Q Where was your mother born? A In Alabama.
Q Did their ancestors, their foreparents always live in Alabama?
A Yes sir.
Q In what part of the State? A I don't know what part of the
State.
Q Are you married? A Yes sir.
Q What is your husband's name? A Aaron Holloway.
Q Your husband a negro? A No sir, he is a half Indian I reckon.
Q Are you making any claim for your husband? A No sir.
Q Was he ever a slave? A No sir.
Q How many children have you under 21 years of age and unmarried?
A One.
Q What is the name and age of your child? A Aaron Holloway.
Q How old? A Going on 21 years old, be 21 the last day of August.
Q Twenty now is he? A Yes sir.
Q Does he live with you? A Yes sir.
Q You the mother of him? A Yes sir.
Q Aaron Holloway the father? A Yes sir.
Q Have you or your son ever been enrolled by the Choctaw Tribal
authorities in Indian Territory? A No sir.

- Q Did you ever make application to the Choctaw Tribal authorities in Indian Territory to be enrolled? A No sir.
- Q Did you or anyone for you in 1896 make application to the Commission to the Five Civilized Tribes for citizenship in the Choctaw Nation? A No sir.
- Q Have you or your son ever been admitted to citizenship in the Choctaw Nation by the Choctaw Tribal authorities, by the Commission to the Five Civilized Tribes or by the United States Court in Indian Territory? A No sir.
- Q Have you ever made an application before this? A No sir.
- Q This is the first application you have ever made of any description, is it? A Yes sir.
- Q You are now making application for the identification of yourself and your son as Mississippi Choctaws? A Yes sir.
- Q Do you claim your rights as beneficiaries under the provisions of the 14th article of the treaty of 1830? A I don't know.
- Q What is your claim then? A I'm a Choctaw Indian.
- Q Is that all? A I don't know; I claim rights.
- Q Right to what? A To Choctaw Indians.
- Q On what account? A I am connected with them.
- Q How? A By being mixed blood.
- Q Is that the whole claim you make? A I reckon so.

The Commission is here empowered and authorized to hear and determine applications of persons who claim rights in the Choctaw lands under the provisions of the 14th article of the treaty of 1830 but is not authorized to hear the applications of any other persons.

xx

- Q Do you claim your right under that treaty? A Yes sir.
- Q Did you ever receive any benefits as a Choctaw Indian? A No sir.
- Q Did any of your ancestors? A No sir.
- Q What is the name of your ancestor who lived here in Mississippi and who was a recognized member of the Choctaw Tribe of Indians in 1830? A I don't know.
- Q Did any of your ancestors remove from Mississippi to Indian Territory at the time of the removal of the Choctaws in 1833 to 1838? A No sir.
- Q Did any of your ancestors ever claim or receive any land in Mississippi under the provisions of the 14th article of the treaty of 1830? A No sir.
- Q Did any of your ancestors within six months after the ratification of the treaty of 1830 signify to the United States Indian Agent of the Choctaws in Mississippi their intention to remain here and become citizens of the United States? A I don't know, sir.
- Q Is there any additional statement that you desire to make in support of this application? A No sir.
- Q Have you any documentary evidence, any testimony of any description, copies of records, deeds or patents, or any proper papers, to show that your ancestors were ever recognized members of the Choctaw Tribe of Indians or that they ever complied or attempted to comply with the provisions of the 14th article of the treaty of 1830? A No sir.

There is offered in evidence, marked Exhibit "A", filed ~~xx~~ and made a part of the records in this case the affidavit of Dick Hutchinson.

Mr. John S. Hagler, attorney for the applicant, makes request that additional time be granted in which to file documentary evidence in support of this application.

By the Commission.

Permission is granted Mr. John S. Hagler, attorney

for the applicant, to file written evidence in this case provided the same is offered for filing with the Commission within thirty days from the date hereof .

The applicant in this case has none of the characteristics of a Choctaw Indian, her complexion is of a light copper color, she is unable to speak the Choctaw language and has no knowledge of any compliance by her ancestors with the provisions of the 14th article of the treaty of 1830.

The decision of the Commission as to your application and the application you make on behalf of your son for identification as Mississippi Choctaws will be determined at the earliest possible date and report of the same made to the Secretary of the Interior, conformable to the provisions of the 21st Section of the Act of Congress of June 28, 1898, and a copy of such decision will be mailed to you at your post office address as given in your testimony at this time.

Ira S. Niles, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes he reported in full the proceedings had in the above entitled cause, heard at Meridian, Mississippi, May 6th, 1901, and that the above and foregoing is a full, true and correct transcription of his stenographic notes taken on the day and date above mentioned.

Ira S. Niles

Subscribed and sworn to before me this 13th day of May, A.D.1901, at Meridian, Mississippi.

[Signature]
Notary Public.

7
1
H. L.
C. W.

COPY.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application of Ann Holloway, et al.,
for identification as Mississippi Choctaws, M.C.R. 2030

DECISION.

It appears from the record herein that an application for identification as Mississippi Choctaws was made to this Commission by Ann Holloway, for herself and her minor child, Aaron Holloway, under the following provision of the act of Congress approved June 20, 1898, (30 Stat., 493):

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto, and make report to the Secretary of the Interior."

It also appears that both of said applicants claim rights in the Choctaw lands under article fourteen of the treaty between the

United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, by reason of being descendants of Dick Hutchinson and Susan Hutchinson, and Jane Sumner (or Sumlin), who are alleged to have been Choctaw Indians, degree of blood not stated.

It further appears from the evidence submitted in support of said application and from the records in the possession of the Commission that neither of said applicants has ever been enrolled by the Choctaw tribal authorities as a member of the Choctaw tribe, or admitted to Choctaw citizenship by a duly constituted court or committee of the Choctaw Nation, or by the Commission to the Five Civilized Tribes, or by a decree of the United States Court in Indian Territory, under the provisions of the act of Congress approved June 10, 1896 (29 Stats. 321).

It does not appear from the testimony and evidence offered in support of said application, or from the records in the possession of the Commission relating to persons who complied or attempted to comply with the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and to persons who heretofore were claimants thereunder, that the said Dick Hutchinson, or Susan Hutchinson, or Jane Sumner (or Sumlin) signified (in person or by proxy) to Colonel Wm. Ward, Indian Agent, Choctaw Agency, an intention to comply with the provisions of said article fourteen, or presented a claim to rights thereunder to either of the Commissions authorized to adjudicate such claims by the acts of Congress approved March 3, 1837 (5 Stats. 130) and August 23, 1842 (5 Stats. 513).

It is therefore the opinion of this Commission that the

evidence herein is insufficient to determine the identity of Ann Holloway and Aaron Holloway as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the application for their identification as such should be refused, and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES,

(SIGNED),

W. L. R. R. R. R. R.
Acting Chairman.

(SIGNED),

W. L. R. R. R. R. R.
Commissioner.

(SIGNED),

W. L. R. R. R. R. R.
Commissioner.

Dated at Muskogee,
Indian Territory, this

DEC 17 1902

COPY

Muskogee, Indian Territory, December 17, 1902.

Mansfield, McMurray & Cornish,

Attorneys for the Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:

You are hereby advised that on the 17th day of December, 1902, the Commission to the Five Civilized Tribes rendered a decision in the case of Ann Holloway, et al., applicants for identification as Mississippi Choctaws.

This application was made under the provision of the act of Congress of June 28, 1898 (30 Stats., 495).

Said decision concludes as follows:

"It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Ann Holloway and Aaron Holloway as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the application for their identification as such should be refused, and it is so ordered."

You are further advised that the applicants in this case have been allowed fifteen days from the date hereof within which to file arguments in this office; and that at the expiration of said time the papers in the case together with such arguments will be forwarded to the Secretary of the Interior through the Commissioner of Indian Affairs.

Respectfully,

Acting Chairman.

COPY.

Muskogee, Indian Territory, December 17, 1902.

Ann Holloway,

York, Alabama.

Dear Madam:

You are hereby advised that on the 17th day of December, 1902, the Commission to the Five Civilized Tribes rendered a decision in the case of Ann Holloway, et al., applicants for identification as Mississippi Choctaws.

This application was made under the provision of the act of Congress of June 28, 1898 (30 Stats., 495) which is as follows:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto and make report to the Secretary of the Interior."

Said decision concludes as follows:

"It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Ann Holloway and Aaron Holloway as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the application for their identification as such should be refused, and it is so ordered."

You are further advised that you will be allowed fifteen days from the date hereof within which to file arguments in this office, and that at the expiration of said time the papers in the

-2-

case together with such arguments will be forwarded to the Secretary of the Interior through the Commissioner of Indian Affairs.

Respectfully,

Samuel H. Hays
Acting Chairman.

Registered.

Muskogee, Indian Territory, December 17, 1902.

John S. Hagler,
Attorney-at-Law,
Bowie, Texas.

Dear Sir:

You are hereby advised that on the 17th day of December, 1902, the Commission to the Five Civilized Tribes rendered a decision in the case of Ann Holloway, et al., applicants for identification as Mississippi Choctaws.

This application was made under the provision of the act of Congress of June 28, 1898 (30 Stats., 495) which is as follows:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto and make report to the Secretary of the Interior."

Said decision concludes as follows:

"It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Ann Holloway and Aaron Holloway as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the application for their identification as such should be refused, and it is so ordered."

You are further advised that the applicants in this case have been allowed fifteen days from the date hereof within which to

-2-

file arguments in this office, and that at the expiration of said time, the papers in the case together with such arguments will be forwarded to the Secretary of the Interior through the Commissioner of Indian Affairs.

Respectfully,

Yours truly,

James H. Smith

Acting Chairman.

Registered.

COPY.

Muskogee, Indian Territory, January 2, 1903.

The Honorable,

The Secretary of the Interior.

Sir:

There is transmitted herewith the record in the case of Ann Halloway, et al., applicants to the Commission for identification as Mississippi Choctaws, including the decision of the Commission of December 17, 1902.

The Commission has the honor to report that the principal applicant herein, her attorney of record and the attorneys for the Choctaw and Chickasaw Nations have been duly advised by letter of the action of the Commission, copies of said letters being attached to the record.

Respectfully,

Tamie Dixie.

Acting Chairman.

Through the

Commissioner of Indian Affairs.

Enc. M.C.R. 2030

(COPY)

D C 7811-1903.

DEPARTMENT OF THE INTERIOR.

WHE

I.T.D. 1882-1903.

Washington.

L.R.S.

March 17, 1903.

Commission to the Five Civilized Tribes,
Muskegee, Indian Territory.

Gentlemen:

January 2, 1903, you transmitted the record in the case involving the application for identification as Mississippi Choctaws of Ann Holloway (M C R 2030), for herself and her minor child, Aaron Holloway, including your decision of December 17, 1902, refusing to identify them as such.

The applicants claim rights in the Choctaw lands under article 14 of the treaty of September 27, 1830, by reason of being descendants of Dick Hutchinson and Susan Hutchinson, and Jane Sumner (or Sumlin), who are alleged to have been Choctaw Indians, degree of blood not stated.

The records fail to show that the applicants were ever admitted or enrolled as citizens of the Choctaw Nation, or that their alleged ancestors complied or attempted to comply with said article 14 of the treaty of 1830, or with the subsequent acts relating thereto.

Reporting in the matter February 16, 1903, the Acting

-2-

Commissioner of Indian Affairs recommends that your decision be approved. A copy of his letter is inclosed.

The department finds no reason to disturb your decision, and the same is hereby affirmed.

Respectfully,

(Signed) Thom. Ryan,

Acting Secretary.

1 inclosure.

(COPY)

Land

852-1903.

DEPARTMENT OF THE INTERIOR,

Office of Indian Affairs,

Washington, February 16, 1903.

The Honorable,

The Secretary of the Interior.

Sir:-

There is transmitted, herewith, for your consideration, the record of the Commission to the Five Civilized Tribes, in the matter of the application of Ann Holloway, for herself and her minor child, Aaron Holloway, for identification as Mississippi Choctaws, claiming rights as such under the provisions of the 14th article of the Choctaw treaty of 1830.

The testimony in this case shows that the applicants base their claim to identification under this application because of their descent from Dick Hutchinson and Susan Hutchinson, who it is alleged were Choctaw Indians and residents of the Choctaw Nation in Mississippi, at the time of the making of the Choctaw treaty of 1830, through Calvin and Jane Sumner (or Sumlin).

The Commission rejected the applicants December 17, 1902, because the names of their ancestors through whom they claim do not appear among the names of those who complied or attempted to comply

with the provisions of the 14th article of the Choctaw treaty of 1830, and for the additional reason that the applicants themselves had never been enrolled as citizens of the Choctaw Nation.

An examination of the records of this office has been made with reference to Dick Hutchinson, Susan Hutchinson and Calvin and Jane Sumner (or Sumlin), and it is discovered that their names do not appear among the names of those who complied or attempted to comply with the provisions of the 14th article of the Choctaw treaty of 1830; neither does it appear that they applied to the commissions appointed under the Acts of March 3, 1837 and August 23, 1842, for an adjudication of their rights, if they had any, as Choctaw Indians.

These being the facts it is recommended that the decision of the Commission rejecting the parties be approved.

Very respectfully,

(Signed) A. C. Tenner,

Acting Commissioner.

C.T.C. (E.)

M.C.E. 2030

copy.
Muskogee, Indian Territory, March 26, 1903.

John S. Hagler,
Attorney at Law,
Bowie, Texas.

Dear Sir:

You are hereby notified that on the 17th day of March, 1903, the Secretary of the Interior affirmed the decision of this Commission refusing the application for identification as Mississippi Choctaws of the several persons included in the case of Ann Holloway, et al., of which decision you were advised by registered mail on the 17th day of December, 1902.

Respectfully,

(SIGNED)

Tamie Doby
Chairman.

M.C.R. 2030

Y.

Muskogee, Indian Territory, March 26, 1903.

Ann Holloway,

York, Alabama.

Dear Madam:

You are hereby notified that on the 17th day of March, 1903, the Secretary of the Interior affirmed the decision of this Commission refusing the application for identification as Mississippi Choctaws of the several persons included in the case of Ann Holloway, et al., of which decision you were advised by registered mail on the 17th day of December, 1902.

Respectfully,

(SIGNED)

James D. Piny.
Chairman.

COPY

Muskogee, Indian Territory, March 26, 1903.

Mansfield, McMurray & Cornish,

Attorneys for the Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:

You are hereby notified that on the 17th day of March, 1903, the Secretary of the Interior affirmed the decision of this Commission refusing the application for identification as Mississippi Choctaws of the several persons included in the case of Ann Holloway, et al., of which decision you were advised by mail on the 17th day of December, 1902.

Respectfully,

(SIGNED)

James Dinkley
Chairman.

For Identification as a Mississippi Choctaw.

Date MAY - 6 1901

Name *Ann Holloway.*Age *44.* Blood *1/4.*Post Office *York, Ala.*Father: *Calvin Sumner - dead.*Mother: *Jane Sumner - dead.*Claims through *both parents.***HUSBAND:***Araron Holloway -
(No claim for husband).***Children:***Araron Holloway. 20.***Stenographer***A. L. Niles*

REFUSED

Ans Holloway et al.

DECISION RENDERED.

1902

NOTICE OF DECISION MAILED APPLICANT.

DEC 17 1902

NOTICE OF DECISION FORWARDED
ATTORNEY FOR APPLICANTS.

DEC 17 1902

NOTICE OF DECISION MAILED ATTORNEYS
FOR CHOCTAW AND CHICKASAW NATIONS.

DEC 17 1902

RECORD FORWARDED DEPARTMENT

JAN 2 - 1903

ACTION APPROVED BY SECRETARY OF INTERIOR.

MAR 17 1903

NOTICE OF DEPARTMENTAL ACTION
FORWARDED APPLICANT.

MAR 26 1903

NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEY FOR APPLICANT.

MAR 26 1903

NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEYS FOR CHOCTAW
AND CHICKASAW NATIONS.

MAR 26 1903

Choctaw MCR 2031

Dialtha Bailey

MCR 2031

FOR IDENTIFICATION
A MISSISSIPPI TAW R. 2031

Dialtha Bailey et al

NOV 1 1902

NOV 1 1902

NOV 1 1902

NOV 1 1902

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application of DIALTHA BAILEY, et al.,
for identification as Mississippi Choctaws, M.C.R. 2031.

List of papers
forwarded to the Secretary of the Interior, with the record in the
above case, together with the page occupied by each
in said record.

	page
Original application of DIALTHA BAILEY, et al., to the Dawes Commission for identification as Mississippi Choctaws,.....	1
Decision of the Commission refusing the application of DIALTHA BAILEY, et al., for identification as Mississippi Choctaws,.....	4

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
Meridian, Mississippi, May 6, 1901.

In the matter of the application for identification as
Mississippi Choctaws of Dialtha Bailey and her two minor children.
Said Dialtha Bailey, being first duly sworn, testified as
follows:-

Examination by the Commission.

Q What is your name? A Dialtha Bailey.
Q How old are you? A 48.
Q Where do you live? A In Perry County.
Q What is your postoffice address? A Hattiesburg.
Q How long have you lived in Mississippi? A Lived here most
all ~~thaimax~~ the time.
Q Where was you born? A In Mississippi.
Q What county? A Holly Springs, Beaver County.
Q What is your father's name? A Frank Wilson.
Q Is your father living? A No sir.
Q Father a Choctaw Indian? A No sir.
Q Negro? A Yes sir.
Q Father ever a slave? A Yes sir.
Q What is your mother's name? A Lucinda Bowman.
Q Mother living? A No sir.
Q Was your mother a Choctaw Indian? A She was half, I reckon.
Q What other blood did she have? A She had light mixed blood.
She wasn't considered a darkey.
Q Was she a slave? A No sir.
Q You ever a slave? A No sir, I guess not.
Q Was your mother ever recognized as a member of the Choctaw Tribe
of Indians? A Yes sir.
Q How? A She was always recognized by her blood of people.
Q Did she speak the Choctaw language? A No sir.
Q Did she live with the Choctaw Indians? A I don't know, sir,
been among them a good deal.
Q She always live here in Mississippi? A Yes sir.
Q Where was she born? A Reckon born in Mississippi.
Q Whereabouts in Mississippi? A Reckon Holly Springs.
Q How much Choctaw blood do you claim? A Well, I claim I
reckon one-third or something.
Q Are you married? A Yes sir.
Q What is your husband's name? A Wash Bailey.
Q He a negro? A Yes sir.
Q How old is he? A He is about 52.
Q Mak9ng any claim for your husband? A No sir.
Q Where did you marry him? A Married him in Tennessee.
Q When? A About 21 years ago.
Q How many children have you under 21 years of age and unmarried?
A Two.
Q What are their names and ages? A Wayne Bailey.
Q How old? A 17.
Q Next one? A Lucinda.
Q How old? A 13.
Q Is your name or the names of these children on the tribal rolls
of the Choctaw Nation in Indian Territory? A No sir.
Q Have you or has anyone for you or your children ever made appli-
cation to the tribal authorities in the Indian Territory to be en-
rolled? A No sir.
Q In 1896, under the Act of Congress of June 10, 1896, did you or
anyone for you or your children make application to the Commission to
the Five Civilized Tribes for citizenship in the Choctaw Nation?
A No sir.

Q Have you or your children ever been admitted to citizenship in the Choctaw Nation by the Choctaw Tribal authorities, the Commission to the Five Civilized Tribes or by the United States Court in Indian Territory? A No sir.

Q Have you ever made an application for yourself or your children before this time? A No sir.

Q This is the first application you have ever made of any description? A Yes sir.

Q You are now making application for the identification of yourself and your two minor children as Mississippi Choctaws? A Yes sir.

Q Do you claim your rights as beneficiaries under the 14th article of the treaty of 1830? A Yes sir.

Q Have you ever received any benefits as a Choctaw Indian? A No sir.

Q Have any of your ancestors ever received any benefits as Choctaw Indians? A No sir.

Q What is the name of your ancestor or ancestors, your foreparents, who were living here in Mississippi in 1830 at the time the treaty of Dancing Rabbit Creek was entered into between the United States and the Choctaw Tribe of Indians? A I don't know, my grandfather, I guess he might have been here.

Q What was his name? A Jack Bowman.

Q Have you any evidence showing that he was ever recognized as a member of the Choctaw Tribe of Indians in Mississippi in 1830?

A Yes, guess he was.

Q Have you any evidence of that fact? A I guess so.

Q What? A I don't know how long that has been hardly. He was old enough to have been living then.

Q Did any of your ancestors move from Mississippi to the Indian Territory at the time of the removal of the Choctaw Indians to the Territory in 1833 to 1838? A I don't know.

Q Did any of your ancestors ever claim or receive any land in Mississippi as beneficiaries under the 14th article of the treaty of 1830? A No sir.

Q Did any of your ancestors within six months after the ratification of the treaty of 1830 signify to the United States Indian Agent of the Choctaws in Mississippi of their intention to ~~remain~~ remain in Mississippi and become citizens of the United States? A No sir.

Q Any additional statement that you want to make in support of this application? A No sir.

Q Have you any documentary evidence, any written testimony, copies of records, deeds or patents, or any proper papers that would show that your ancestors were ever recognized members of the Choctaw Tribe of Indians or that they ever complied or attempted to comply with the provisions of the 14th article of the treaty of 1830? A No sir, I haven't any papers.

Q Can you speak the Choctaw language? A No sir.

Q Do you understand the Choctaw language? A Yes sir, some I can.

Q What do you mean by understand? A Understand the words.

Q You can understand them when they talk English? A Yes sir.

Q Can't understand them when they talk other than English?

A No sir.

Q Then you can't understand the Choctaw language? A No sir.

John S. Hagler, attorney for applicant, asks permission to file documentary evidence in support of this application within thirty days from this date.

By the Commission.

Permission is granted attorney for the applicant to file documentary evidence in support of this claim provided the same is offered for filing by the Commission within 30 days from the date hereof.

The applicant in this case has none of the appearance of a Choctaw Indian, has all the characteristics of a negro, is unable to speak the Choctaw language and has no knowledge of any compliance by her ancestors with the provisions of the 14th article of the treaty of 1830.

The decision of the Commission as to your application and the application you make on behalf of your two minor children for identification as Mississippi Choctaws will be determined at the earliest possible date and report of the same made to the Secretary of the Interior, conformable to the provisions of the 21st section of the Act of Congress of June 28, 1898. A copy of such decision will be mailed to you at your proper postoffice address as given in your testimony at this time.

Ira S. Niles, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes he reported in full the proceedings had in the above entitled cause, heard at Meridian, Mississippi, May 6th, 1901, and that the above and foregoing is a full, true and correct transcription of his stenographic notes taken on the day and date above mentioned.

Subscribed and sworn to before me this 13th day of May, A.D. 1901, at Meridian, Mississippi.


Notary Public.

J.W.L.
C.W.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application of DIALTHA BAILEY, et al.,
for identification as Mississippi Choctaws, M.C.R. 2031.

D E C I S I O N .

It appears from the record herein that an application for identification as Mississippi Choctaws was made to this Commission by DIALTHA BAILEY, for herself and her two minor children, WAYNE and LUCINDA BAILEY, under the following provision of the act of Congress approved June 28, 1898, (30 Stat., 495):

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto and make report to the Secretary of the Interior."

It also appears that all of said applicants claim rights in the Choctaw lands under article fourteen of the treaty between the

United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, by reason of being descendants of one Jack Bowman, who is alleged to have been possessed of some Choctaw blood (degree thereof not positively stated).

It further appears from the evidence submitted in support of said application and from the records in the possession of the Commission that none of the applicants has ever been enrolled by the Choctaw tribal authorities as a member of the Choctaw tribe, or admitted to Choctaw citizenship by a duly constituted court or committee of the Choctaw Nation, or by the Commission to the Five Civilized Tribes, or by a decree of the United States Court in Indian Territory, under the provisions of the act of Congress approved June 10, 1898, (29 Stats., 321).

It does not appear from the testimony and evidence offered in support of said application, or from the records in the possession of the Commission relating to persons who complied or attempted to comply with the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and to persons who heretofore were claimants thereunder that the said Jack Bowman, or an ancestor less remote, signified (in person or by proxy) to Colonel Wm. Ward, Indian Agent, Choctaw Agency, an intention to comply with the provisions of said article fourteen of the treaty of eighteen hundred and thirty, or presented a claim to rights thereunder to either of the Commissions authorized to adjudicate such claims by the acts of Congress approved March 3, 1837, (5 Stats., 180) and August 23, 1842, (5 Stats., 513).

It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Djaltha Bailey, Wayne Bailey and Lucinda Bailey as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that

-8-

the application for their identification as such should be refused,
and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES,

(SIGNED)

Tame Pixby.

Acting Chairman.

(SIGNED)

T. B. Moccie

Commissioner.

(SIGNED)

C. R. Breckinridge.

Commissioner.

Dated at Muskogee,
Indian Territory, this

NOV 1 1902

COPY. M.C.R. 2031

Muskogee, Indian Territory, January 16, 1902.

Mansfield, McMurray & Cornish,

Attorneys for the Choctaw and Chickasaw Nations,
South McAlester, Indian Territory.

Gentlemen:

You are hereby notified that on the 7th day of January, 1903, the Secretary of the Interior affirmed the decision of this Commission refusing the application for identification as Mississippi Choctaws of the several persons included in the case of Dialtha Bailey, et al., of which decision you were advised by mail on the 1st day of November, 1902.

Respectfully,

(SIGNED)

A. D. J. Gentry.

Commissioner in charge.

Muskogee, Indian Territory, November 1, 1902.

John S. Hagler,
Attorney-at-Law,
Bowie, Texas.

Dear Sir:

You are hereby advised that on the 1st day of November, 1902, the Commission to the Five Civilized Tribes rendered a decision in the case of Djaltha Bailey, et al., applicants to the Commission for identification as Mississippi Choctaws.

This application was made under the provision of the act of Congress of June 28, 1898 (30 Stats., 495) which is as follows:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto and make report to the Secretary of the Interior."

Said decision concludes as follows:

"It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Djaltha Bailey, Wayne Bailey and Lucinda Bailey as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the application for their identification as such should be refused, and it is so ordered."

You are further advised that the applicants in this case have been allowed fifteen days from the date hereof within which to file arguments in this office and that at the expiration of said

-2-

time the papers in the case together with such arguments will be forwarded for review to the Secretary of the Interior through the Commissioner of Indian Affairs.

Respectfully,

(SIGNED).

Tamo

Acting Chairman.

Registered.

COPY

Muskogee, Indian Territory, November 1, 1902.

Dialtha Bailey,

Hattiesburg, Mississippi.

Dear Madam:

You are hereby advised that on the 1st day of November, 1902, the Commission to the Five Civilized Tribes rendered a decision in the case of Dialtha Bailey, et al., applicants to the Commission for identification as Mississippi Choctaws.

This application was made under the provision of the act of Congress of June 28, 1898 (30 Stats., 496) which is as follows:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto and make report to the Secretary of the Interior."

Said decision concludes as follows:

"It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Dialtha Bailey, Wayne Bailey and Lucinda Bailey as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the application for their identification as such should be refused, and it is so ordered."

You are further advised that you will be allowed fifteen

days from the date hereof within which to file arguments in this office, and that at the expiration of said time the papers in the case together with such arguments will be forwarded for review to the Secretary of the Interior through the Commissioner of Indian Affairs.

Respectfully,

Tame Dixby

Acting Chairman.

Registered.

Muskogee, Indian Territory, November 1, 1902.

Manafield, McMurray & Cornish,

Attorneys for the Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:

You are hereby advised that on the 1st day of November, 1902, the Commission to the Five Civilized Tribes rendered a decision in the case of Dinaltha Bailey, et al., applicants to the Commission for identification as Mississippi Choctaws.

This application was made under the provision of the act of Congress of June 26, 1896 (30 Stat., 495).

Said decision concludes as follows:

"It is therefore opinion of this Commission that the evidence herein is insufficient to determine the identity of Dinaltha Bailey, Wayne Bailey and Lucinda Bailey as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the application for their identification as such should be refused, and it is so ordered."

You are further advised that the applicants in this case have been allowed fifteen days from the date hereof within which to file arguments in this office and that at the expiration of said

--2--

time the papers in the case together with such arguments will be forwarded for review to the Secretary of the Interior through the Commissioner of Indian Affairs.

Respectfully,

Tamie Dixby.
Acting Chairman.

COPY.

Muskogee, Indian Territory, November 17, 1902.

The Honorable,

The Secretary of the Interior.

Sir:

There is transmitted herewith the record in the case of Djaltha Bailey, et al., applicants to the Commission for identification as Mississippi Choctaws, including the decision of the Commission of November 1, 1902.

The Commission has the honor to report that the principal applicant herein, her attorney of record and the attorneys for the Choctaw and Chickasaw Nations have been duly advised by letter of the action of the Commission, copies of said letters being attached to the record.

Respectfully,

(SIGNED)

James D. Smith

Acting Chairman.

Through the

Commissioner of Indian Affairs.

Enc. M.C.R. 2031.

--:-- COPY --:--

D.C. 789

ITD.7944-1902.

L.R.S.

DEPARTMENT OF THE INTERIOR,
WASHINGTON.

EAF.

January 7, 1903.

Commission to the Five Civilized Tribes,

Muskogee, I.T.

Gentlemen:

November 17, 1902, you transmitted the record in the matter of the application for identification as Mississippi Choctaws, of Djaltha Bailey and her minor children, Wayne and Lucinda Bailey.

The applicants endeavor to trace their descent from one Jack Bowman, alleged to have been a Choctaw Indian.

The record fails to show that any one of the applicants was ever admitted or enrolled as a citizen of the Choctaw Nation, or that said Jack Bowman or an ancestor less remote complied or attempted to comply with article 14 of the treaty of September 27, 1830, or with either of the acts of March 3, 1837 (5 Stat., 180), and August 23, 1842 (5 Stat., 515). You refused the application November 1, 1902.

The Commissioner of Indian Affairs forwarded the papers December 19, and recommended approval of your decision. A copy of his letter is inclosed. Having thoroughly reviewed the record, the Department hereby affirms the decision rendered.

Respectfully,

Thos. Ryan,

Acting Secretary.

1 inclosure.

-:- COPY -:-

Land.
69828-1902.

DEPARTMENT OF THE INTERIOR,

Office of Indian Affairs,

Washington, Dec. 19, 1902.

The Honorable,

The Secretary of the Interior.

Sir:

There is transmitted herewith, a report made November, 17, 1902, by the Acting Chairman of the Commission to the Five Civilized Tribes, forwarding the record in the matter of the application of DIALTHA BAILEY for the identification of herself and two minor children, WAYNE and LUCINDA BAILEY, as Mississippi Choctaws claiming rights under the fourteenth article of the Choctaw treaty of 1830.

November 1, 1902, the Commission held that the applicants were not entitled to identification. Descent is claimed from JACK BOWMAN through LUCINDA BOWMAN, his daughter, it being claimed that JACK BOWMAN was a member of the Choctaw tribe of Indians in Mississippi in 1830, and complied or attempted to comply with the provisions of Article 14 of the treaty.

The applicants are not full-blood Choctaw Indians. A careful search of the records of this office fails to show that JACK BOWMAN received a patent for land under the provisions of Article 14 of the treaty of 1830; or complied or attempted to

-:- 3 -:-

comply with the provisions thereof; neither does it appear that he applied to the Commissions appointed under Acts of March 3, 1837 and August 23, 1842, for an adjudication of his rights, if he had any, as a Choctaw Indian.

It is therefore respectfully recommended that the decision of the Commission rejecting the applications, be approved.

Very respectfully,

W. A. Jones,

Commissioner.

G.T.C.

L.

M.C.R. 2031

Muskogee, Indian Territory, January 16, 1903.

Dialtha Bailey,

Hattiesburg, Mississippi.

Dear Madam:

You are hereby notified that on the 7th day of January, 1903, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the case of Dialtha Bailey, et al., of which decision you were advised by registered mail on the 1st day of November, 1902.

Respectfully,

(S GNEED)

Commissioner in Charge.

COPY. M.O.R. 2031

Muskogee, Indian Territory, January 16, 1903.

J. S. Hagler,

Attorney at law,

Bowie, Texas.

Dear Sir:

You are hereby notified that on the 7th day of January, 1903, the Secretary of the Interior affirmed the decision of this Commission refusing the application for identification as Mississippi Choctaws of the several persons included in the case of Djaltha Bailey, et al., of which decision you were advised by registered mail on the 1st day of November, 1902.

Respectfully,

(SIGNED)

D. E. McCallie

Commissioner in charge.

No. _____

For Identification as a Mississippi Choctaw.

Date

MAY - 6 1901

Name

Nialtha Bailey

Age

48

Blood

$\frac{1}{3}$

Post Office

Nattiesburg, Miss.

Father:

Frank Wilson - dead.

Mother:

Lucinda Bowman - dead

Claims through

mother

HUSBAND:

Wash Bailey - 52
(no claim for husband).

Children:

Wayne Bailey 17
Lucinda " 13.

(Claims for ...)

Stenographer

J. S. Niles

Choctaw MCR 2032

Minerva Autman

See MCR 2004

MCR 2032

Mineroa Autman, et al.

REFUSED

DECISION RENDERED. JUL 19 1902

NOTICE OF DECISION MAILED APPLICANT.

JUL 22 1902

NOTICE OF DECISION FORWARDED
ATTORNEY FOR APPLICANTS.

NOTICE OF DECISION MAILED ATTORNEYS
FOR CHOCTAW AND CHICKASAW NATIONS.

JUL 22 1902

RECORD FORWARDED DEPARTMENT.

JUL 22 1902

ACTION APPROVED BY SECRETARY OF INTERIOR.

AUG 22 1902

NOTICE OF DEPARTMENTAL ACTION
FORWARDED APPLICANT.

AUG 30 1902

NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEY FOR APPLICANT.

AUG 30 1902

NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEYS FOR CHOCTAW
AND CHICKASAW NATIONS.

REFER TO M. C. R. 2004

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
Meridian, Mississippi, May 6, 1901.

In the matter of the application for identification as
Mississippi Choctaws of Minerva Autman and her nine minor children.
Said Minerva Autman, being first duly sworn, testified
as follows:-

Examination by the Commission.

Q What is your name? A Minerva Autman.
Q How old are you? A About 45.
Q Where do you live? A Lawrence County, Mississippi.
Q What is your postoffice address? A Oakvale, Mississippi.
Q How long have you lived in Mississippi? A Been in Mississippi about 30 years.
Q Were you born here? A No sir.
Q Where was you born? A In Louisiana, ~~lived there fifteen years~~
Q Lived there fifteen years? A I reckon I did.
Q Then move to Mississippi? A Yes sir.
Q Lived here ever since then? A Moved twice, moved to Louisiana.
Q Where was you born? A In Louisiana.
Q How did you come to go there twice? A My sister lives in Louisiana.
Q You have been living here for the last thirty years? A Yes sir.
Q What is your father's name? A Wiley Daniel.
Q Is your father living? A Yes sir.
Q Father a Choctaw Indian? A Yes sir.
Q How much Choctaw? A About a half they tell me.
Q What other blood did he have? A Had no other blood, yes negro.
Q Was he ever a slave? A Yes sir.
Q Have you ever been a slave? A I was born a slave.
Q Your father living? A Yes sir.
Q What is your mother's name? A Minnie.
Q Your mother a Choctaw Indian? A No sir.
Q What was she? A Part white and part colored.
Q Was she a slave? A Yes sir.
Q Your mother living? A No sir.
Q You claim your rights entirely through your father, do you?
A Yes sir.
Q How much Choctaw blood do you claim?
A I claim a fourth.
Q Was your father ever recognized in any official manner as a member of the Choctaw Tribe of Indians here in Mississippi?
A As far as I know, he was.
Q How? A Everybody said he was a Choctaw.
Q Can he speak the Choctaw language? A No sir.
Q Can you speak the Choctaw language? A No sir.
Q Did your father associate with the full blood Choctaws here in Mississippi? A I reckon he did.
Q Do you know the full bloods here in Mississippi? Have anything to do with them? A No sir, I don't know them.
Q Know anything about them? A No sir.
Q Are you married? A Yes sir.
Q What is your husband's name? A York Autma.
Q Is your husband living? A Yes sir.
Q Making any claim for him? A No sir.
Q Is your husband a negro? A Yes sir.
Q How old is he? A About 44 I think.
Q Is he the father of all nine of your children? A Yes sir.
Q Where did you marry him? A In Lawrence County.
Q When? A I don't know what date but we have been married about 22 years.

Q What are the names and ages of your nine children?
A The oldest one's name is Missouri.
Q How old is she? A 19.
Q Next one? A Andrew.
Q How old is he? A 17.
Q All right, go ahead? A Emma.
Q How old? 15.
Q All right? A Asa.
Q How old? 13.
Q All right? A Jesse.
Q How old? 11 years old.
Q Next one? A Willie.
Q How old? 9.
Q Next one? A Millie.
Q How old? A 6 years old.
Q Go ahead? A Alex.
Q How old? 3.
Q Next one? A Job.
Q How old? One.
Q Are you the mother of all nine of these children? A Yes sir
Q York Autman the father of all? A Yes sir.
Q Do all these children live with you? A Yes sir.
Q Your name and the names of your children on any of the rolls of the Choctaw Nation in Indian Territory? A No sir.
Q Did you or did anyone for you or for your children ever make application to the Choctaw Tribal authorities in Indian Territory to be enrolled as citizens of that Nation? A Not as I know of.
Q Did you? A No sir.
Q In 1896, under the Act of Congress of June 10th, 1896, did you or did ~~any~~ anyone for you or for your children make application to the Commission to the Five Civilized Tribes for citizenship in the Choctaw Nation? A Not as I know of.
Q Did you make an application? A No.
Q Authorize anyone to make one for you? A No sir.
Q Have you or your children ever been admitted to citizenship in the Choctaw Nation by the Choctaw Tribal authorities, by the Commission to the Five Civilized Tribes or by the United States Court in Indian Territory? A No sir.
Q Is this the first application you have ever made of any description? A Yes sir.
Q You are now making application for the identification of yourself and your nine minor children as Mississippi Choctaws?
A Yes sir.
Q Do you claim your rights as beneficiaries under the provisions of the 14th article of the treaty of 1830? A Yes sir.
Q Did you ever receive and benefits as a Choctaw Indian?
A No sir.
Q Did any of your ancestors ever receive any benefits as Choctaw Indians? A Never as I know of.
Q What is the name of your ancestor, your foreparent who lived here in Mississippi in 1830? A Wiley Daniel and Minnie. Are you talking about the name of my mother and father?
Q Is Wiley Daniel a Choctaw Indian? A He claims Choctaw.
Q Was he ever officially recognized or considered as such?
A I don't know, sir.
Q Did he ever receive any benefits as a Choctaw Indian? A No sir.
Q Did any of your ancestors remove from Mississippi to Indian Territory at the time of the removal of the Choctaws in 1833 to 1838?
A No sir.
Q Did any of your ancestors ever claim or receive any land in Mississippi as beneficiaries under the provisions of the 14th article of the treaty of 1830? A No sir.
Q Did any of your ancestors within six months after the ratification of the treaty of 1830 signify to the United States Indian Agent of the Choctaws in Mississippi of their intention to remain in Mississippi and become citizens of the United States?

A Yes sir, I reckon they did.

Q Well, who was it? A My father here.

Q Did he go to the United States Indian Agent here in Mississippi after that Treaty? A No sir, I don't know.

Q Is there any additional statement that you want to make in support of this application? A No sir.

Q Have you any documentary evidence, any written testimony of any description, copies of records, deeds or patents, or any proper papers, that would show that your ancestors were ever recognized members of the Choctaw Tribe of Indians or that they ever complied or attempted to comply with the provisions of the 14th article of the treaty of 1830? Have you any such papers? A No sir.

Examination by Mr. John S. Hagler, attorney for applicant.

Q Are you the daughter of Wiley Daniel who appeared before the Commission on the 4th day of May at Meridian, Mississippi, to be placed on the rolls of Mississippi Choctaws? A Yes sir.

Q Are you the sister of Silas Daniel and David Daniel who appeared before the Commission on the 6th day of May? A Yes sir.

The counsel for applicant asks permission to file documentary evidence in support of this application within thirty days from this date.

By the Commission.

Permission is granted attorney for the applicant to file documentary evidence in support of this claim provided the same is offered for filing by the Commission within 30 days from the date hereof.

The applicant in this case has all the appearance of a negro, has none of the characteristics or appearance of a Choctaw Indian, is unable to speak the Choctaw language and has no knowledge of any compliance by her ancestors with the provisions of the 14th article of the treaty of 1830.

The decision of the Commission as to your application and the application you make on behalf of your nine minor children for identification as Mississippi

Choctaws will be determined at the earliest possible date and report of the same made to the Secretary of the Interior, conformable to the provisions of the 21st section of the Act of Congress of June 28, 1898. A copy of such decision will be mailed to you at your proper postoffice address as given in your testimony at this time.

Ira S. Niles, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he reported in full the proceedings had in the above entitled cause, heard at Meridian, Mississippi, May 6th, 1901, and that the above and foregoing is a full, true and correct transcription of his stenographic notes taken on the day and date above mentioned.

Subscribed and sworn to before me this 13th, day of May, A.D. 1901, at Meridian, Mississippi.

Ira S. Niles
[Signature]
Notary Public

COPY.

K O R 2032

Muskogee, Indian Territory, July 22, 1902.

Minerva Autman,
Oakvale, Mississippi.

Dear Madam:

You are hereby advised that on the 22nd day of July, 1902, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Willy Daniel, et al., embracing the following applications for identification as Mississippi Choctaws:

Willy Daniel, et al.,	K O R	2004
Minerva Autman, et al.,	"	2032
David Daniel, et al.,	"	2033
Silas Daniel, et al.,	"	2034
William F. Ford, et al.,	"	2035

These applications were made under the provisions of the act of Congress of June 28, 1898 (30 Stats., 495), which is as follows:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses, and perform all other acts necessary thereto, and make report to the Secretary of the Interior".

Said decision concludes as follows:

Minerva Autman-3

"It is, therefore, the opinion of this Commission that the evidence herein is insufficient to determine the identity of Wiley Daniel, Martha Daniel, Minerva Autman, Missouri Autman, Andrew Autman, Emma Autman, Asa Autman, Jesse Autman, Willie Autman, Millie Autman, Alex Autman, Job Autman, David Daniel, Elijah Daniel, Ida Daniel, Lee Daniel, Miranda Daniel, Rachel Daniel, Silas Daniel, Percy Daniel, Rebecca Daniel, Harrison Daniel, Marie Daniel, Berte Daniel, Lillie Daniel, Luke Daniel, William E. Ford, Rexie Ford, Estelle Ford, Emily Elizabeth Ford, Robert E. Ford, Alta Ford, and Paul Ford as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the applications for their identification as such should be refused, and it is so ordered".

You are further advised that the Commission has on this date forwarded the record in this case to the Secretary of the Interior for review and you will be informed in due time of such action as may be taken by him.

Yours truly,

(SIGNED)

T. E. Woodson

Commissioner in Charge.

Registered.

H.C.R. 2032.

Muskogee, Indian Territory, August 30, 1902.

Minerva Autman,
Oakvale, Mississippi.

Dear Madam:

You are hereby advised that on the 22nd day of August 1902, the Secretary of the Interior affirmed the decision of the Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of Wiley Daniel, et al., of which decision you were advised by registered mail on the 22nd day of July, 1902.

Yours truly,

Acting Chairman.

No. 1000

For Identification as a Mississippi Choctaw.

Date MAY - 6 1901

Name *Minerva Autman.*

Age *45* Blood *1/4.*

Post Office *Oakvale, Miss*

Father: *Wiley Daniel - ✓*

Mother: *Minnie Daniel - dead.*

Claims through *father*

HUSBAND:

York Autman - 44
(no claim for husband).

Children: *Missouri Autman 19*

Andrew " 17

Emma " 15

Asa " 13

Jesse " 11

Willie " 9

Millie " 6

Alex. " 3

Job " 1.

(Claims for self and 9 children)

Stenographer

J. J. Niles

Choctaw MCR 2033

David Daniel

See MCR 2004

MCR 2033

AMERICAN INDIAN
A MISSISSIPPI CHOCTAW. P. 2033

David Daniel, et al.

REFUSED

DECISION RENDERED. JUL 12 1902

NOTICE OF DECISION MAILED APPLICANT.

JUL 12 1902

NOTICE OF DECISION FORWARDED
ATTORNEY FOR APPLICANTS.

NOTICE OF DECISION MAILED ATTORNEYS
FOR CHOCTAW AND CHICKASAW NATIONS.

JUL 22 1902

RECORD FORWARDED DEPARTMENT.

JUL 22 1902

ACTION APPROVED BY SECRETARY OF INTERIOR.

AUG 22 1902

NOTICE OF DEPARTMENTAL ACTION
FORWARDED APPLICANT.

AUG 30 1902

NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEY FOR APPLICANT.

AUG 30 1902

NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEYS FOR CHOCTAW
AND CHICKASAW NATIONS.

30 1902

REFER TO M. C. R. 2004

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
Meridian, Mississippi, May 6, 1901.

In the matter of the application for identification as Mississippi Choctaws of David Daniel and his five minor children. Said David Daniel, being first duly sworn, testified as follows:-

Examination by the Commission.

Q What is your name? David Daniel.
Q How old are you? A About 37.
Q Where do you live? A Lawrence County, Mississippi.
Q What is your postoffice address? A Oakvale.
Q How long have you lived in Mississippi? A About 25 years,
30 odd years.
Q Where did you live before that? A Louisiana.
Q Where was you born? A Louisiana.
Q What is your father's name? A Wiley Daniel.
Q Is your father living? A Yes sir.
Q Father a Choctaw Indian? A Yes sir.
Q How much Choctaw blood does your father claim? A I don't
know, half or three quarters.
Q What other blood did he have? A I don't know, sir, nigger
I reckon.
Q Was he ever a slave? A Yes sir.
Q How old is your father? A About 80 years old.
Q Where was he born? A Mississippi.
Q What part of Mississippi? A Lawrence County.
Q Was your father ever recognized and considered by the full blood
Choctaws here in Mississippi as a member of the Choctaw Tribe?
A Not as I know of.
Q What is your mother's name? A Minnie Daniel.
Q Your mother living? A No sir.
Q Claim your rights as a Choctaw through your father, do you?
A Yes sir.
Q How much Choctaw blood do you claim? A Claim a quarter.
Q Are you married? A Yes sir.
Q What is your wife's name? A Roxie Ann Daniel?
Q Is your wife living? A Yes sir.
Q Making any claim for her? A No sir.
Q Is your wife a negro? A Yes sir.
Q How old is she? A 28.
Q Is she the mother of your five children? A Yes sir.
Q Where did you marry her? A Mississippi, Lawrence County.
Q When? A 1887.
Q Married under a license? A Yes sir.
Q Have you your marriage license and certificate with you? A
A No sir.

It will be necessary that the Commission be supplied
with evidence of your marriage to your wife in the
matter of the application for the identification of
your children.

Q How many children have you? A 5.
Q All under 21 years of age and unmarried? A Yes sir.
Q What are their names and ages? A Elijah.
Q How old is he? A 12.
Q Next one? A Ida.
Q How old? A 9.
Q All right? A Lee.
Q How old? A 5.
Q Next one? A Miranda.

- Q How old? A 2.
- Q Next one? A Enoch.
- Q How old? A 2 months old.
- Q Are you the father of all these five children? A Yes sir.
- Q Roxie Ann Daniel the mother? A Yes sir.
- Q These children all live with you? A Yes sir.
- Q Is your name and the names of your children upon any of the tribal rolls of the Choctaw Nation in the Indian Territory? A No sir.
- Q Did you or did anyone for you or for your children ever make application to the Choctaw Tribe in Indian Territory to be enrolled? A No sir.
- Q In 1896, under the Act of Congress of June 10, 1896, did you or did anyone for you or for your children make application to the Commission to the Five Civilized Tribes for citizenship in the Choctaw Nation? A No sir.
- Q Have you or your children ever been admitted to citizenship in the Choctaw Nation by the Choctaw Tribal authorities, by the Commission to the Five Civilized Tribes or by the United States Court in Indian Territory? A No sir.
- Q Have you, or has anyone for you or for your children ever, prior to this time, made application to either the Choctaw Tribal authorities or to the Commission to the Five Civilized Tribes to be admitted to citizenship or enrolled as members of the Choctaw Tribe of Indians? A No sir, not that I know of.
- Q You know whether you made an application yourself, don't you? A No sir, I never made any.
- Q Is this the first application you have ever made? A Yes sir.
- Q You are now making application for the identification of yourself and your five minor children as Mississippi Choctaws? A Yes sir.
- Q Do you claim your rights as beneficiaries under the provisions of the 14th article of the treaty of 1830? A Yes sir.
- Q Did you ever receive any benefits as a Choctaw Indian? A No sir.
- Q Did any of your ancestors ever receive any such benefits? A No sir.
- Q What is the name of your ancestor, or ancestors, who were residents of the State of Mississippi and recognized members of the Choctaw Tribe of Indians at the time of the treaty of Dancing Rabbit Creek in 1830? A I don't understand you.
- Q What is the name of your ancestor who lived here in 1830? A Wiley Daniel.
- Q Have you any evidence that he was officially recognized at that time as a member of the Choctaw Tribe of Indians by either the Choctaw Government or by the United States? A I don't know.
- Q Did any of your ancestors ever remove from Mississippi to the Choctaw Nation in Indian Territory at the time of the removal of the other members of the Choctaw Tribe in 1833 to 1838? A I guess they did.
- Q Who were they? A I don't know, sir.
- Q Why do you think they moved? Why did you make that statement that "you guess they did"? Did any of your parents move from Mississippi to Indian Territory when the other Choctaws moved? A No sir.
- Q Did any of your ancestors ever claim or receive any land here in Mississippi from the United States Government as beneficiaries under the 14th article of the treaty of 1830? A No sir.
- Q Did any of your ancestors within six months after the ratification of the treaty of 1830 signify to the United States Indian Agent of the Choctaws here in Mississippi of their intention to remain here in Mississippi and become citizens of the United States? A I don't know.
- Q You claim your rights as a Choctaw through Wiley Daniel? A Yes sir.
- Q What do you know about his recognition as a member of the Choctaw Tribe of Indians? A What do I know about it?
- Q Yes sir? A Just knew I am Choctaw.

Q We are talking about your father? A I know that he is from what he says.

Q Was he ever in any official manner recognized as a member of the Choctaw Tribe? A I don't know, sir.

Q Is there any additional statement that you desire to make in support of this application? A No sir.

Q Have you any documentary evidence, copies of records, deeds or patents, or any proper papers that would show that your ancestors were ever recognized members of the Choctaw Tribe of Indians in Mississippi or that they ever complied or attempted to comply with the provisions of the 14th article of the treaty of 1830 or that they ever received any benefits under that article of that treaty?

A No sir.

Examination by Mr. John S. Hagler, attorney for applicant.

Q Are you a brother of Silas Daniel who testified before the Commission this morning in support of his application to be enrolled as a member of the Mississippi Choctaws? A Yes sir.

The counsel for the applicant will ask for time to file certified copy of the marriage license of David Daniel to his wife and to file such documentary evidence as he may be able to obtain in support of this application in the course of 20 or 30 days.

By the Commission.

Permission is granted attorney for applicant to file documentary evidence in support of this application provided the same is offered for filing with the Commission within thirty days from this date.

This applicant has none of the appearance of a Choctaw Indian, has all the appearance of a negro, is unable to speak the Choctaw language and has no knowledge of any compliance by his ancestors with the provisions of the 14th article of the treaty of 1830.

The decision of this Commission as to your application and the application you make on behalf of your five minor children for identification as Mississippi Choctaws will be determined at the earliest possible date and report of the same made to the Secretary of the Interior, conformable to the provisions of the 21 section of the Act of Congress of June 28, 1898, and a copy of such decision will be mailed to you to your postoffice address as given in your testimony at this time.

Ira S. Niles, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes he reported in full the proceedings had in the above entitled cause, heard at Meridian, Mississippi, May 6th, 1901, and that the above and foregoing is a full, true and correct transcription of his stenographic notes taken on the day and date above mentioned.

Subscribed and sworn to before me this 11th day of May, A.D. 1901, at Meridian, Mississippi.

[Signature]
Notary Public.

COPY.

M C R 2033.

Muskogee, Indian Territory, July 22, 1902.

David Daniel,

Osceola, Mississippi.

Dear Sir:

You are hereby advised that on the 22nd day of July, 1902, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Wiley Daniel, et al., embracing the following applications for identification as Mississippi Choctaws:

Wiley Daniel, et al.,	M C R	2004
Minerva Autman, et al.,	"	2032
David Daniel, et al.,	"	2033
Silas Daniel, et al.,	"	2034
William F. Ford, et al.,	"	2035

These applications were made under the provisions of the act of Congress of June 26, 1896 (30 Stat., 496), which is as follows:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses, and perform all other acts necessary thereto, and make report to the Secretary of the Interior".

Said decision concludes as follows:

David Daniel-2

"It is, therefore, the opinion of this Commission that the evidence herein is insufficient to determine the identity of Wiley Daniel, Martha Daniel, Minerva Autman, Missouri Autman, Andrew Autman, Emma Autman, Asa Autman, Jesse Autman, Willie Autman, Willie Autman, Alex Autman, Job Autman, David Daniel, Elijah Daniel, Ida Daniel, Lee Daniel, Miranda Daniel, Enoch Daniel, Silas Daniel, Percy Daniel, Rebecca Daniel, Beatrice Daniel, Rosie Daniel, Berta Daniel, Billie Daniel, Luke Daniel, William F. Ford, Roxie Ford, Estelle Ford, Emily Elizabeth Ford, Robert E. Lee Ford, Alta Ford, and Paul Ford as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the applications for their identification as such should be refused, and it is so ordered".

You are further advised that the Commission has on this date forwarded the record in this case to the Secretary of the Interior for review and you will be informed in due time of such action as may be taken by him.

Yours truly,

(SIGNED)

T. E. Needles

Commissioner in Charge.

Registered.

H.C.R. 2033.

Muskegee, Indian Territory, August 30, 1902.

David Daniel,

Oakvale, Mississippi.

Dear Sir:

You are hereby advised that on the 22nd day of August 1902, the Secretary of the Interior affirmed the decision of the Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of Wiley Daniel, et al., of which decision you were advised by registered mail on the 22nd day of July, 1902.

Yours truly,

Acting Chairman.

For Identification as a Mississippi Choctaw.

Date MAY -6 1901

Name *David Daniel.*

Age 37. Blood 1/4.

Post Office *Oakvale, Miss.*

Father: Wiley Daniel - ✓

Mother: Minnie Daniel - dead.

Claims through *Father*

WIFE:

Roxie Ann Daniel - 28
(no claim for wife).

Children :

Olijah Daniel 12.

Ida " 9.

Lee " 5.

Meranda " 2.

Cnoch " 2 mo.

(Quins for 1000 "1000" ...)

Stenographer

grapher
A. I. Niles.

Choctaw MCR 2034

Silas Daniel

See MCR 2004

MCR 2034

MISSISSIPPI CHOCTAW. 2004

Silas Daniel, et al.

REFUSED

DECISION SENT JUL 22 1902

NOTICE OF DECISION MAILED APPLICANT.

JUL 22 1902

NOTICE OF DECISION FORWARDED
ATTORNEY FOR APPLICANTS.

JUL 22 1902

NOTICE OF DECISION MAILED ATTORNEYS
FOR CHOCTAW AND CHICKASAW NATIONS.

JUL 22 1902

RECORD FORWARDED DEPARTMENT.

JUL 22 1902

ACTION APPROVED BY SECRETARY OF INTERIOR.

AUG 22 1902

NOTICE OF DEPARTMENTAL ACTION
FORWARDED APPLICANT.

AUG 30 1902

NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEY FOR APPLICANT.

AUG 30 1902

NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEYS FOR CHOCTAW
AND CHICKASAW NATIONS.

AUG 30 1902

REFER TO M. C. R. 2004.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
Meridian, Mississippi, May 6, 1901.

In the matter of the application for identification as
Mississippi Choctaws of Silas Daniel and his seven minor children.
Said Silas Daniel, being first duly sworn, testified as
follows:-

Examination by the Commission.

- Q What is your name? A Silas Daniel.
Q How old are you? A Forty.
Q Where do you live? A I live in Lawrence County.
Q What State? A Mississippi.
Q What is your postoffice address? A Oakvale.
Q How long have you lived in Mississippi? A I don't know
exactly; I have been here the biggest part of my life.
Q Born here? A No sir, I was born in Louisiana.
Q What part of Louisiana? A Washington Parish.
Q How long have you lived there? A I don't know, about 7 or 8
years. My father moved up in Mississippi and I have been here ever
since.
Q You moved from Louisiana to Mississippi? A Yes sir.
Q Lived here ever since? A Yes sir.
Q What is your father's name? A Wiley Daniel.
Q Is your father living? A Yes sir.
Q Is he a Choctaw Indian? A Yes sir.
Q How much Choctaw is your father? A Well, he is considered
a half, I believe.
Q Can he speak the Choctaw language? A No sir.
Q You say your father is half Choctaw? A Yes sir.
Q What other blood has he? A Well, I guess he is mixed with
African race.
Q Was he ever a slave? A Yes sir.
Q What is your mother's name? A Minnie.
Q Your mother living? A No sir.
Q Was she a Choctaw Indian? A No sir.
Q Was she a slave? A Yes sir.
Q Have you ever been a slave? A Well, I was born in slave time;
I was born a slave.
Q Born of slave parents? A Yes sir.
Q Claim your rights entirely through your father? A Yes sir.
Q How much Choctaw blood do you claim? A About a fourth.
Q Was your father ever recognized in any manner as a member of
the Choctaw Tribe of Indians? A Yes sir, I suppose so.
Q How so? A They considered him that he was Choctaw.
Q Who did? A The Indians, I don't know exactly who.
Q Did he associate with the Choctaw Indians here in Mississippi?
A Yes sir, whenever necessary.
Q I am speaking about the full blood Choctaws, did he associate
with them? A Yes sir, I was young, I had them tell me so.
Q I am speaking about recognition by the Choctaws themselves.
The majority of the Choctaws here in Mississippi could not speak
English could they? A No sir.
Q Did your father speak Choctaw? A No sir.
Q Was he associated with the full blood Choctaws here in Missis-
sippi as a member of the Tribe? A Yes sir.
Q How could he have been if they could not understand him?
A I don't know, sir.
Q Are you married? A Yes sir.
Q What is your wife's name? A Rosie.
Q Making any claim for your wife? A No sir.
Q Is she a negro? A Yes sir.

Q How old is she? A 36.
Q Where did you marry her? A Marion County, Mississippi.
Q She the mother of your children? A Yes sir.
Q How were you married to her? A Married by license.
Q Have you your marriage license and certificate with you?
A No sir.

It will be necessary that the Commission be supplied with evidence of your marriage to your wife in the matter of the application for identification of your children as Mississippi Choctaws.

Q How many children have you under 21 years of age and unmarried?
A All of them are unmarried.
Q What are their names and ages? A Percy.
Q How old? A 13.
Q Next one? A 12.
Q What is the name? A Rebecca.
Q The next? A Beatrice. 10 years old.
Q Next one? A Rosie.
Q How old is Rosie? A He is 8 years old.
Q Next one? A Berta, 6.
Q Next one? A Lillie, 4.
Q Next one? A Luke, about 9 months old.
Q Are you the father of these 7 children? A Yes sir.
Q Rosie Daniel the mother of all 7 of them? A Yes sir.
Q These children all live with you? A Yes sir.
Q Is your name or the names of any of your children on the tribal roll of the Choctaw Nation in Indian Territory? A No sir.
Q Did you or did anyone for you ever make application to the Choctaw Tribal authorities in Indian Territory to be enrolled as a citizen of the Choctaw Nation? A No sir.
Q In 1896, under the Act of Congress of June 10, 1896, did you or did anyone for you make application to the Commission to the Five Civilized Tribes for citizenship in the Choctaw Nation? A No sir.
Q Have you or your children ever been admitted to citizenship in the Choctaw Nation by the Choctaw Tribal authorities, the Commission to the Five Civilized Tribes, or by the United States Court in Indian Territory? A No sir.
Q Have you ever made an application to either the Choctaw Tribal authorities or the authorities of the United States prior to this time to be enrolled or admitted to citizenship in the Choctaw Nation? A No sir.
Q This is the first application you have ever made of any description? A Yes sir.
Q You are now making application for the identification of yourself and your 7 minor children as Mississippi Choctaws? A Yes sir.
Q Do you claim your rights as beneficiaries under the provisions of the 14th article of the treaty of 1830? A Yes sir.
Q Have you ever received any benefits as a Choctaw Indian?
A No sir.
Q Have any of your ancestors ever received any benefits as Choctaw Indians? A Not as I know of.
Q What is the name of your ancestor, or ancestors, who were residents of the State of Mississippi in 1830, at the time the treaty of Dancing Rabbit Creek was entered into between the United States and the Choctaw Indians? A Wiley Daniel.
Q Was your father recognized as a member of the Choctaw Tribe of Indians at that time? A I suppose he was.
Q Have you any evidence of that fact? A None only through my father.
Q Did any of your ancestors remove from Mississippi to Indian Territory at the time of the removal of the Choctaw Indians in 1833 to 1838? A No sir.
Q Did any of your ancestors ever claim or receive any land in Mississippi as beneficiaries under the 14th article of the treaty of 1830? A No sir.

- Q Did any of them signify to the United States Indian Agent of the Choctaws in Mississippi of their intention to remain here and become citizens of the United States after the ratification of the treaty of 1830? A No sir, I believe not.
- Q You claim your rights through Wiley Daniel? A Yes sir.
- Q How much Choctaw is he? A half I believe.
- Q Was he ever a slave? A Yes sir.

Examination by Mr. John S. Hagler, Attorney for applicant.

- Q Are you the son of Wiley Daniel who appeared before the Commission on the 4th day of May at Meridian, Mississippi? A Yes sir.
- Q What is your complexion? A I hardly know.
- Q What is the color of your eyes? A I don't know, my eyes are black.
- Q What is the color of your hair? A Black.
- Q Is it kinky or straight? A Straight I believe, it curls some.
- Q What is the color of your whiskers? A Black.
- Q Are they straight? A Yes sir.

Mr. John S. Hagler, attorney for applicant, asks permission to file documentary evidence in support of this application within thirty days from this date, and about the same time in order to procure certified copy of the marriage license.

By the Commission.

Permission is granted attorney for applicant to file documentary evidence in support of this application provided the same is offered for filing with the Commission within thirty days from this date.

Q By the Commission.

- Q Is there any additional statement that you desire to make in support of your application? A No sir.
- Q Have you any documentary evidence, any written testimony, affidavits, copies of records, deeds or patents, or any proper papers that would show that your ancestors were ever recognized members of the Choctaw Tribe of Indians in Mississippi or that they ever complied or attempted to comply with the provisions of the 14th article of the treaty of 1830? A No sir.

The applicant in this case has some slight appearance or trace of Choctaw blood, has a prominent admixture of negro blood and it appears from his testimony that both his father and mother were slaves and that the applicant himself is unable to speak the Choctaw language. He has no knowledge of any compliance by his ancestors with the provisions of the 14th article of the treaty of 1830.

The decision of the Commission as to your application and the application you make on behalf of your seven minor children for identification as Mississippi Choctaws will be determined at the earliest possible date and report of the same made to the Secretary of the Interior, conformable to the provisions of the 21st section of the Act of Congress of June 28, 1898, and a copy of such decision will be mailed to you at your proper postoffice address as given in your testimony at this time.

Ira S. Niles, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes he reported in full the proceedings had in the above entitled cause, heard at Meridian, Mississippi, May 6th, 1901, and that the above

Silas Daniel et al-----4

and foregoing is a full, true and correct transcription of his stenographic notes taken on the day and date above mentioned.

Sam S. Stiles

Subscribed and sworn to before me this 11th day of May, A.D. 1901,
at Meridian, Mississippi.

J. M. Smith
Notary Public.

COPY

M C R 2034

Muskogee, Indian Territory, July 22, 1902.

Silas Daniel,
Oakvale, Mississippi.

Dear Sir:

You are hereby advised that on the 22nd day of July, 1902, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Wiley Daniel, et al., embracing the following applications for identification as Mississippi Choctaws;

Wiley Daniel, et al.,	M C R 2004
Minerva Antman, et al.,	" 2032
David Daniel, et al.,	" 2033
Silas Daniel, et al.,	" 2034
William F. Ford, et al.,	" 2035

These applications were made under the provisions of the act of Congress of June 28, 1898 (30 Stats., 495), which is as follows:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses, and perform all other acts necessary thereto, and make report to the Secretary of the Interior".

Said decision concludes as follows:

Silas Daniel-2

"It is, therefore, the opinion of this Commission that the evidence herein is insufficient to determine the identity of Willey Daniel, Martha Daniel, Minerva Autman, Missouri Autman, Andrew Autman, Emma Autman, Ash Autman, Jesse Autman, Willie Autman, Lillie Autman, Alex Autman, Job Autman, David Daniel, Elijah Daniel, Ida Daniel, Lee Daniel, Miranda Daniel, Snook Daniel, Silas Daniel, Percy Daniel, Rebecca Daniel, Beatrice Daniel, Rosie Daniel, Bert Daniel, Lillie Daniel, Luke Daniel, William F. Ford, Roxie Ford, Estelle Ford, Emily Elizabeth Ford, Robert E. Lee Ford, Alta Ford, and Paul Ford as Choctaw Indians, entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the applications for their identification as such should be refused, and it is so ordered".

You are further advised that the Commission has on this date forwarded the record in this case to the Secretary of the Interior for review and you will be informed in due time of such action as may be taken by him.

Yours truly,

SIGNED:

I. D. McClellan.

Commissioner in Charge.

Registered.

M.C.R. 2034.

Muskogee, Indian Territory, August 30, 1902.

Silas Daniel,
Oakvale, Mississippi.

Dear Sir:

You are hereby advised that on the 22nd day of August 1902, the Secretary of the Interior affirmed the decision of the Commission refusing the applications for identification as Mississippi Cheetaws of the several persons included in the consolidated case of Wiley Daniel, et al., of which decision you were advised by registered mail on the 22nd day of July, 1902.

Yours truly,

Acting Chairman.

For Identification as a Mississippi Choctaw.

Date MAY - 6 1901

Name

Silas Daniel

Age

40.

Blood

1/4.

Post Office

Oakvale, Miss.

Father:

Wiley Daniel - ✓

Mother:

Miriam Daniel - dead.

Claims through

father

WIFE:

Rosie Daniel - 36.
 (no claim for wife).

Children:

Percy Daniel	13.
Rebecca "	12.
Beatrice "	10.
M. Rosie "	8
Berta "	6
Lillie "	4
Luke "	9 mo.

(Claims for self and 7 children)

Stenographer

A. J. Niles.

Choctaw MCR 2035

William F. Ford

See MCR 2004

MCR 2035

William F. Ford, et al,

REFUSED

DECISION RENDERED JUL 22 1902

NOTICE OF DECISION MAILED APPLICANT.

JUL 22 1902

NOTICE OF DECISION FORWARDED
ATTORNEY FOR APPLICANTS.

JUL 22 1902

NOTICE OF DECISION MAILED ATTORNEYS
FOR CHOCTAW AND CHICKASAW NATIONS.

JUL 22 1902

RECORD FORWARDED DEPARTMENT.

JUL 22 1902

ACTION APPROVED BY SECRETARY OF INTERIOR.

AUG 22 1902

NOTICE OF DEPARTMENTAL ACTION
FORWARDED APPLICANT.

AUG 30 1902

NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEY FOR APPLICANT.

NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEY FOR CHOCTAW
AND CHICKASAW NATIONS.

REFER TO M. C. R. 2004

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
Meridian, Mississippi, May 6, 1901.

In the matter of the application for identification as Mississippi Choctaws of William Fletcher Ford and his six minor children.

Said William Fletcher Ford, being first duly sworn, testified as follows:-

Examination by the Commission.

- Q What is your name? A William F. Ford.
Q What is your age? A 35.
Q Where do you live? A Lawrence County.
Q What State? A Mississippi.
Q What is your postoffice address? A Bournham.
Q How long have you lived in Mississippi? A Always.
Q Born here? A No. I was born in Louisiana, in Washington Parish, Louisiana.
Q How old were you when you came to Mississippi? A Three.
Q Lived here since then? A Yes sir.
Q Did your mother and father live there when you was born? A Yes sir.
Q How long had they lived there before then? A I ~~am~~ don't know.
Q Had they always lived in Louisiana? A No sir.
Q Where had they lived? A Lived in Lawrence County.
Q What were they doing in Louisiana? A They were married there. Came from here in slavery time.
Q They were slaves were they? A Yes sir.
Q Both of them? A Yes sir.
Q What is your father's name? A Watson Ford.
Q Is your father living? A No sir.
Q Was your father a Choctaw Indian? A I don't know sir whether he was or not.
Q What is your mother's name? A Sophia.
Q Is your mother living? A Yes sir.
Q Is your mother a Choctaw Indian? A Yes sir, in part.
Q How much? A About a quarter.
Q You claim your Choctaw blood entirely through your mother? A Yes sir.
Q How much Choctaw are you? A About one eighth.
Q Do you ~~spek~~ the Choctaw Language? A No sir.
Q Does your mother speak the Choctaw language? A No sir.
Q Was your mother ever recognized among the Choctaws here in Mississippi, by the full bloods, as a member of their tribe? A Not as I knows of.
Q Are you married? A Yes sir.
Q What is your wife's name? A Edith Ford.
Q Making any claim for your wife? A Yes sir.
Q What do you claim her to be? Is she any Choctaw? A Said to be a little, but I can't prove it.
Q Are you making claim for her as a Choctaw? A Yes sir.
Q Has she any rights as a Choctaw that you know of? A Yes.
Q Why isn't she here to prove for herself? A Well, she didn't have any way of proving it.
Q Why are you making an application for her? A Only from what she says that her mother was part Choctaw and she didn't know how much.
Q You want to make an application for her, do you? A No sir, I make application for myself and my children.
Q You do not want to make any application for your wife then? A No sir.

- Q How old is your wife? A About 29.
Q Where did you marry her? A Marion County.
Q What State? A Mississippi.
Q Marry her under a license? A Yes sir.
Q When were you married? A The wife I have now, we was married the 7th of last March.
Q Is she the mother of your children? A No sir, I had a wife before.
Q How many children did you have by your first wife? A Two.
Q Making application for them? A Yes sir.
Q What are their names and ages? A Roxie, 13.
Q The next one? A Estelle, 12.
Q Who is the mother of these two children? Sarah.
Q Sarah Ford? A Yes sir.
Q Is she living? A I don't know, sir; she went away into the Territory some place.
Q When were you married to Sarah Ford? A As near as I can come to it, about 15 years ago.
Q Where were you married? A In Louisiana.
Q Married under a license? A Yes sir.
Q Been separated from this woman, been divorced? A Yes sir.

It will be necessary that the Commission be supplied with evidence of your marriage to your first wife in the matter of the application for ~~enrollment~~ identification as Mississippi Choctaws of your two children, Roxie and Estelle, also affidavits showing the fact of your divorce from your first wife. It will also be necessary that the Commission be supplied with the evidence of your marriage to your present wife in the matter of the application for identification as Mississippi Choctaws of your other four minor children.

- Q What are the names of your other four children? A Emily Elizabeth.
Q How old is she? A 5.
Q The next one? A Robert E. Lee.
Q How old is he? A 4.
Q The next one? A Alta.
Q How old is Alta? A 3 $\frac{1}{2}$ years old.
Q The next one? A Paul.
How old is he? A About six months old.
Q Who is the mother of these four children? A Edith Ford.
Q You are the father of all six of them, are you? A Yes sir.
Q Are these six children all living with you? A Yes sir.
Q Is your name or the names of any of your children on the tribal rolls of the Choctaw Nation in the Indian Territory? A No sir.
Q Have you, or has anyone for you or for your children, ever made application to the Choctaw Tribal authorities in Indian Territory to be enrolled as citizens of the Choctaw Nation? A No sir.
Q In 1896, under the Act of June 10, 1896, did you or did anyone for you or for your children make application to the Commission to the Five Civilized Tribes for citizenship in the Choctaw Nation?
A No sir.
Q Have you or your children ever been admitted to citizenship in the Choctaw Nation by the Choctaw Tribal authorities, the Commission to the Five Civilized Tribes or by the United States Court in Indian Territory? A No sir.
Q Have you ever, prior to this time, made any application to either the Choctaw Tribal authorities or to the authorities of the United States either to be admitted to citizenship or enrolled as a citizen of the Choctaw Nation? A No sir.
Q This is the first application you have ever made of any description? A Yes sir.

Q You are now making application for the identification of yourself and your six minor children as Mississippi Choctaws?

A Yes sir.

Q Claim your rights as beneficiaries under the provisions of the 14th article of the treaty of 1830? A Yes sir.

Q Have you ever received any benefits as a Choctaw Indian?

A No sir.

Q Have any of your ancestors ever received any benefits as Choctaw Indians? A No sir.

Q What was the name of your ancestor, or ancestors, who were residents of the State of Mississippi in 1830 and recognized as members of the Choctaw Tribe of Indians at the time of the treaty between the United States and the Choctaw Tribe of Indians in 1830?

A I don't know, sir.

Q Did any of your ancestors move from the State of Mississippi to the Choctaw Nation in Indian Territory at the time of the removal of the Choctaw Indians in 1833 to 1838? A I don't know.

Q Did any of your ancestors ever claim or receive any land from the United States Government as beneficiaries under the 14th article of the treaty of 1830? A No sir.

Q Did any of your ancestors signify to the United States Indian Agent of the Choctaws in Mississippi, within six months after the ratification of the treaty of 1830, their intention to remain here in Mississippi and ~~have~~ become citizens of the United States?

AA I don't understand that.

Q The 14th article of the treaty of 1830, under which you state you make your claim provides that those Choctaws who desired to remain in the State of Mississippi should signify their intention to the United States Indian Agent of the Choctaws of their desire to become citizens of the States. Did any of your ancestors signify their intention to remain in the State of Mississippi and become citizens of the States? A I don't know, sir.

Q What was your mother's father and Mother's name? A My mother's father and mother were named Wiley Daniel and Minnie Daniel.

Q You claim your rights through Wiley Daniel? A Yes sir, and my grandmother.

Q Was she a Choctaw? A Part.

Q Through which one of them do you claim your rights? A I claim my right through my grandfather, Wiley Daniel.

Q Is there any additional statement that you desire to make in support of this application? A No sir.

Q Have you any documentary evidence, any written testimony of any description, copies of deeds, records or patents, or any papers, that would show that Wiley Daniel or any of your ancestors were ever recognized in any official manner as members of the Choctaw Tribe of Indians or that they ever complied or attempted to comply with the provisions of the 14th article of the treaty of 1830?

A Not as I know of.

Mr. John S. Hagler, attorney for applicant, asks permission to file documentary evidence in support of this application within thirty days from this date.

Permission is granted attorney for applicant to file documentary evidence in support of this application provided the same is offered for filing with the Commission within thirty days from this date.

Examination by Mr. John S. Hagler, attorney for applicant.

Q What was your mother's name? A Sophia.

Q What was her maiden name before she married? A Sophia Daniel.

Q Was she the daughter of Wiley Daniel who appeared before the Commission on the 4th day of May at Meridian, Mississippi?

A Yes sir.

Q You claim your right to be enrolled as a Mississippi Choctaw through your mother? A Yes sir.

And grandfather, Wiley Daniel? A Yes sir.

By the Commission.

This applicant has none of the appearance of a Choctaw Indian, is of light complexion and appears to be a mixture of negro and white blood, is unable to speak the Choctaw language and has no knowledge of any compliance by his ancestors with the provisions of the 14th article of the treaty of 1830.

The decision of the Commission as to your application and the application you make on behalf of your six minor children for identification as Mississippi Choctaws, will be determined at the earliest possible date and report of the same made to the Secretary of the Interior, conformable to the provisions of the 21st Section of the Act of Congress of June 28, 1898, and a copy of such decision will be mailed to you at your proper postoffice address as given in your testimony at this time.

Ira S. Niles, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he reported in full the proceedings had in the above entitled cause, heard at Meridian, Mississippi, May 6th, 1901, and that the above and foregoing is a full, true and correct transcription of his stenographic notes taken on the day and date above mentioned.

Subscribed and sworn to before me this 11th day of May, A.D.1901, at Meridian, Mississippi.

Ira S. Niles
[Signature]
Notary Public.

COPY

M C R 2035

Muskogee, Indian Territory, July 22, 1902.

William F. Ford,

Bournham, Mississippi.

Dear Sir:

You are hereby advised that on the 22nd day of July, 1902, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Wiley Daniel, et al., embracing the following applications for identification as Mississippi Choctaws:

Wiley Daniel, et al.,	C R	2004
Minerva Annan, et al.,	"	2032
David Daniel, et al.,	"	2033
Silas Daniel, et al.,	"	2034
William F. Ford, et al.,	"	2035

These applications were made under the provisions of the Act of Congress of June 28, 1898 (30 Stats., 495), which is as follows:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses, and perform all other acts necessary thereto, and make report to the Secretary of the Interior."

Said decision concludes as follows:

William F. Ford-2

"It is, therefore, the opinion of this Commission that the evidence herein is insufficient to determine the identity of Wiley Daniel, Martha Daniel, Minerva Autman, Missouri Autman, Andrew Autman, Emma Autman, Asa Autman, Jesse Autman, Willie Autman, Millie Autman, Alex Autman, Job Autman, David Daniel, Elijah Daniel, Ida Daniel, Lee Daniel, Miranda Daniel, Enoch Daniel, Silas Daniel, Percy Daniel, Rebecca Daniel, Beatrice Daniel, Rosie Daniel, Bertz Daniel, Willis Daniel, Luke Daniel, William F. Ford, Roxie Ford, Estelle Ford, Emily Elizabeth Ford, Robert W. Lee Ford, Alta Ford, and Paul Ford as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the applications for their identification as such should be refused, and it is so ordered".

You are further advised that the Commission has on this date forwarded the record in this case to the Secretary of the Interior for review and you will be informed in due time of such action as may be taken by him.

Yours truly,

RECORDED

T. B. Needles,

Commissioner in Charge.

Registered.

M.C.R. 2035.

Muskogee, Indian Territory, August 30, 1902.

William F. Ford,

Bournham, Mississippi.

Dear Sir:

You are hereby advised that on the 22nd day of August 1902, the Secretary of the Interior affirmed the decision of the Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of Wiley Daniel, et al., of which decision you were advised by registered mail on the 22nd day of July, 1902.

Yours truly,

Acting Chairman.

For Identification as a Mississippi Choctaw.

Date MAY - 6 1901

Name William G. Ford.

Age 35 Blood 1/8

Post Office Bournham, Miss

Father: Watson Ford - dead.

Mother: Sophia Ford - ✓

Claims through mother

WIFE: Edith Ford. 29

(no claim for wife).

(no claim for wife).

Children:

{ Roxie Ford. 13

{ Estella " 12

MOTHER: Sarah Ford - ✓ (don't know)

{ Emily C. Ford. 5

{ Robert C. L. " 4

{ Alta " 3

{ Paul " 6 mos

MOTHER: Edith Ford - ✓

Stenographer

J. J. Niles

Choctaw MCR 2036

Maria Edwards

MCR 2036

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

---0---

In the matter of the application of Mariah Edwards, et al.,
for identification as Mississippi Choctaws, consolidating the appli-
cations of-

Mariah Edwards, et al	M.C.R. 2036
Matilda Moore, et al	" 1976

List of papers forwarded to the Secretary of the Interior
comprising the record in the consolidated case of
Mariah Edwards, et al.

(Page)

Original application of Mariah Edwards, et al., before the Dawes Commission for identification as Mississippi Choctaws	1
Original application of Matilda Moore, et al., before the Dawes Commission for identification as Mississippi Choctaws	4
Certificate of marriage of Bill Moore and Matilda Hollis	7
Decision of the Commission refusing the consolidated application of Mariah Edwards, et al, for identifi- cation as Mississippi Choctaws	8

-----0-----

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
Meridian, Mississippi, May 6th, 1901.

In the matter of the application for identification as
Mississippi Choctaws of Mariah Edwards and her six minor children.
Said Mariah Edwards, being first duly sworn, testified as
follows:-

Examination by the Commission.

- Q What is your name? A Mariah Edwards.
Q How old are you? A 35.
Q Where do you live? A Chickasaw County.
Q What is the name of your postoffice? A Gibson.
Q How long have you lived in Mississippi? A Was raised in Mississippi.
Q Born here? A No sir.
Q Where was you born? A Alabama.
Q What part of Alabama? A Central Alabama.
Q What County? A Sanford County.
Q Mother and father live in Sanford County when you were born?
A Yes sir.
Q How long had they been living there? A I don't know sir.
Q When did you come to Mississippi? A I don't know exactly
but I have been in Mississippi since I was 12 years old.
Q What is your father's name? A Henry Hollis.
Q Is your father living? A Yes sir.
Q Father a Choctaw Indian? A No sir.
Q What nationality is your father? A He belongs to the African race.
Q Was he slave? A Yes sir.
Q Do you know where your father was born? A No sir.
Q What is your mother's name? A Sarah Hollis.
Q Is your mother living? A Yes sir.
Q Mother a Choctaw Indian? A She is mixed.
Q How much Choctaw is your mother? A She is about three quarters, I reckon.
Q Where was your mother born? A I don't know where she was born
Q How long has she lived in Mississippi? A She has been living in Mississippi about 20 years.
Q Where did she live before that? A Alabama.
Q Did she always live in Alabama before she came to Mississippi?
A Yes sir.
Q Do you know anything about your mother's people? A No sir.
Q Was your mother ever a slave? A Yes sir.
Q Was she ever recognized and considered as a member of the Choctaw Tribe of Indians by the Choctaws here in Mississippi?
A Yes sir.
Q How? A I don't know.
Q Can she speak the Choctaw language? A Yes sir.
Q Did you ever hear her speak the Choctaw language? A Yes sir.
Q Can you speak the Choctaw language? A No sir.
Q How do you know your mother could? A I have heard her talk.
Q Did you ever hear her talk with a full blood Choctaw Indian in Choctaw? A No sir, not a full blood.
Q Did you ever hear your mother use the Choctaw language?
A No sir.
Q How much Choctaw blood do you claim? A I claim one fourth.
Q Claim your blood entirely through your mother? A Yes sir.
Q Are you married? A Yes sir.
Q What is your husband's name? A Kit Edwards.
Q Is he a negro? A Yes sir.
Q How old is he? A 50.
Q Was he ever a slave? A Yes sir.

- Q Are you making any application for your husband? A No sir.
- Q Where did you marry him? A In Monroe.
- Q What State? A In State of Alabama? A Mississippi.
- Q Have you any children under 21 years of age and unmarried?
- A Yes sir.
- Q How many? A ~~Six~~ Six.
- Q Want to make application for them? A Yes sir.
- Q What are the names and ~~ages~~ ages of your children? A The eldest one at home is 19 years old.
- Q What is the name? A Sarah.
- Q Next one? A Henry.
- Q How old is he? A 16.
- Q Next one? A Polly, 14.
- Q Next one? A Larney.
- Q How old is Larney? A He is about 12 years old.
- Q What is the next one? A Henrietta.
- Q How old is she? A About 9.
- Q The next one? A Kittie, six.
- Q Is that all? A Yes.
- Q Are you the mother of these six children? A Yes sir.
- Q Kit Edwards the father of all six of them? A Yes sir.
- Q These children all live with you? A Yes sir.
- Q Is your name or the names of any of your children on the tribal rolls of the Choctaw Nation in the Indian Territory? A Yes sir.
- Q On what rolls? Have you ever been enrolled by the Choctaw Indians in Indian Territory? A No sir.
- Q Did you ever make any application before, or did anyone for you or for your children, ever make application to the Choctaw Tribal authorities in Indian Territory to be enrolled by the Choctaws there?
- A No sir.
- Q In 1896, under the Act of Congress of June 10, 1896, did you or did anyone for you or for your children make application to the Commission to the Five Civilized Tribes for citizenship in the Choctaw Nation? A No sir.
- Q Have you or your children ever been admitted to citizenship in the Choctaw Nation by the Choctaw Tribal authorities, by the Commission to the Five Civilized Tribes or by the United States Court in Indian Territory? A No sir.
- Q Have you ever made an application prior to this time to either the Choctaw authorities or to the United States Government to be enrolled or admitted as a Choctaw Indian? A No sir.
- Q This is the first application you have ever made, is it?
- A Yes sir.
- Q You are now making application for the identification of yourself and your six minor children as Mississippi Choctaws? A Yes sir.
- Q Do you claim your rights as beneficiaries under the provisions of the 14th article of the treaty of 1830? A Yes sir.
- Q Did you ever receive any benefits as a Choctaw Indian?
- A No sir.
- Q Did any of your ancestors ever receive any benefits as Choctaw Indians? A No sir.
- Q What was the name of your ancestor, your foreparent, who was a Choctaw Indian here in Mississippi in 1830 and recognized as such at the time of the treaty of Dancing Rabbit Creek was entered into between the United States and the Choctaw Indians? A I don't know.
- Q Did any of your ancestors remove from Mississippi to the Choctaw Nation in Indian Territory at the time of the removal of the Choctaw Indians from 1833 to 1838? A No sir.
- Q Did any of your ancestors ever claim or receive any land in Mississippi as beneficiaries under the provisions of the 14th article of the treaty of 1830? A No sir, ain't none of them own any land but my brother.
- Q What is your mother's father and mother's name? A I don't remember.

Q What is the name of the Choctaw Indian from whom you claim your rights? A I don't know; what I got I got from my mother.

Q Have you any evidence ~~xxx~~ showing that your mother was ever recognized as a member of the Choctaw Tribe of Indians? A Just go by what she says.

Q Is there any additional statement that you want to make; any statement relative to your Choctaw right? A No sir.

Q Have you any documentary evidence, any written testimony of any description, affidavits, copies of records, deeds or patents, or any papers that would show that your ancestors were ever recognized members of the Choctaw Tribe of Indians or that they ever complied or attempted to comply with the provisions of the 14th article of the treaty of 1830, or that they ever received any benefits as Choctaw Indians? A No sir.

Examination by John S. Hagler, attorney for applicants.

Q Are you related to Ben Hollis? A Yes sir.

Q What kin are you to him? A Half sister.

Q Has he been before the Commission to be identified as a Mississippi Choctaw? A Yes sir.

Q When? A In April, I think it was.

Q In April, 1901? A Yes sir.

Q Is his mother and your mother the same mother of both you and him? A Yes sir.

Q Is Ben Hollis's mother your mother? A Yes sir.

By the Commission.

The applicant in this case has none of the appearance of a Choctaw Indian; has all the characteristics of a negro. She is unable to speak the Choctaw language and has no knowledge of any compliance by her ancestors with the provisions of the 14th article of the treaty of 1830.

The decision of the Commission as to your application and the application you make on behalf of your minor children for identification as Mississippi Choctaws will be determined at the earliest possible date and report of the same made to the Secretary of the Interior, conformable to the provisions of the 21st section of the Act of Congress of June 28, 1898, and a copy of such decision will be mailed to you at your postoffice address as given in your testimony at this time.

Ira S. Niles, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he reported in full the proceedings had in the above entitled cause, heard at Meridian, Mississippi, May 6th, 1901, and that the above and foregoing is a full, true and correct transcription of his stenographic notes in said cause taken the day and date above mentioned.

Subscribed and sworn to before me this 9th day of May, A.D. 1901, at Meridian, Mississippi.


Notary Public.

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COPY

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Cov.
DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application of Mariah Edwards, et al.,
for identification as Mississippi Choctaws, consolidating the appli-
cations of-

Mariah Edwards, et al
Matilda Moore, et al

M.C.N. 2036
" 1976

--- DECISION ---

It appears from the record herein that applications for
identification as Mississippi Choctaws were made to this Commission
by Mariah Edwards for herself and her six minor children, Sarah,
Henry, Polly, Larney, Henrietta and Kittie Edwards; and by Matilda
Moore for herself and her six minor children, Mariah, Henry Columbus,
Moses, Will, Ben and Elisha Moore, under the following provision of
the act of Congress approved June 28, 1896 (50 Stats., 495):

"Said Commission shall have authority to determine the
identity of Choctaw Indians claiming rights in the Choctaw lands
under article fourteen of the treaty between the United States
and the Choctaw Nation, concluded September twenty-seventh,
eighteen hundred and thirty, and to that end may administer
oaths, examine witnesses and perform all other acts necessary
thereof and make report to the Secretary of the Interior."

It also appears that all of said applicants claim rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, by reason of being descendants of Jacob Mchett, who is alleged to have been a Choctaw Indian, degree of blood not stated, and of Sarah Hollis, who is alleged to be an half or three-quarters blood Choctaw Indian.

It further appears from the evidence submitted in support of said applications, and from the records in the possession of the Commission, that none of said applicants has ever been enrolled by the Choctaw tribal authorities as a member of the Choctaw tribe, or admitted to Choctaw citizenship by a duly constituted court or committee of the Choctaw Nation, or by the Commission to the Five Civilized Tribes, or by a decree of the United States Court in Indian Territory, under the provisions of the act of Congress approved June 10, 1896 (29 Stats., 321).

It does not appear from the testimony and evidence offered in support of said applications, or from the records in the possession of the Commission relating to persons who complied or attempted to comply with the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and to persons who heretofore were claimants thereunder, that the said Jacob Mchett, or Sarah Hollis, or an ancestor less remote, signified (in person or by proxy) to Colonel Wm. Ward, Indian Agent, Choctaw Agency, an intention to comply with the provisions of said article fourteen, or presented a claim to rights thereunder to either of the Commissions authorized to adjudicate such claims by the acts

of Congress approved March 3, 1837 (5 Stats., 180) and August 22, 1842 (5 Stats., 813).

It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Mariah Edwards, Sarah Edwards, Henry Edwards, Polly Edwards, Larney Edwards, Henrietta Edwards, Kittie Edwards, Matilda Moore, Mariah Moore, Henry Columbus Moore, Moses Moore, Will Moore, Ben Moore and Elisha Moore, as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the applications for their identification as such should be refused, and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES,

FILED. Tams Bixby.
Acting Chairman.

RECORDED. T. D. Needles.
Commissioner.

Muskogee, Indian Territory.

RECORDED. C. H. Brookbridge.
Commissioner.

JAN 17 1903 6

M.C.R. 2036.

COPY.

Muskogee, Indian Territory, January 17, 1903.

Mariah Edwards,

Gibson, Mississippi.

Dear Madam:

You are hereby advised that on the 17th day of January, 1903, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Mariah Edwards, et al., embracing the following applications for identification as Mississippi Choctaws:

Mariah Edwards, et al., M.C.R. 2036,
Matilda Moore, et al., M.C.R. 1976.

These applications were made under the provision of the Act of Congress of June 28, 1898 (30 Stats., 495), which is as follows:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses, and perform all other acts necessary thereto, and make report to the Secretary of the Interior."

Said decision concludes as follows:

"It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Mariah Edwards, Sarah Edwards, Henry Edwards, Polly Edwards, Larney Edwards, Henrietta Edwards, Kittie Edwards, Matilda Moore, Mariah Moore, Henry Columbus Moore, Moses Moore, Will Moore, Ben Moore and Elisha Moore, as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the applications for their identification as such should be refused, and it is so ordered."

M. E. # 2.

You are further advised that you will be allowed fifteen days from the date hereof within which to file arguments in this office, and that at the expiration of said time the papers in the case, together with such arguments, will be forwarded to the Secretary of the Interior through the Commissioner of Indian Affairs.

Respectfully,

(SIGNED).

T. E. Neelco.

Commissioner in Charge.

Registered.

COPY.

M.C.R. 2036.

Muskogee, Indian Territory, January 17, 1903.

John S. Hagler,
Attorney at Law,
Bowie, Texas.

Dear Sir:

You are hereby advised that on the 17th day of January, 1903, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Mariah Edwards, et al., embracing the following applications for identification as Mississippi Choctaws:

 Mariah Edwards, et al., M.C.R. 2036.
 Matilda Moore, et al., M.C.R. 1976.

These applications were made under the provision of the Act of Congress of June 23, 1898 (30 Stats., 495), which is as follows:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses, and perform all other acts necessary thereto, and make report to the Secretary of the Interior."

Said decision concludes as follows:

"It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Mariah Edwards, Sarah Edwards, Henry Edwards, Polly Edwards, Larney Edwards, Henrietta Edwards, Kittie Edwards, Matilda Moore, Mariah Moore, Henry Columbus Moore, Moses Moore, Will Moore, Ben Moore and Elisha Moore, as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the applications for their identification as such should be refused, and it is so ordered."

J. S. H. # 2.

You are further advised that the applicants in this case have been allowed fifteen days from the date hereof within which to file arguments in this office, and that at the expiration of said time the papers in the case, together with such arguments, will be forwarded to the Secretary of the Interior through the Commissioner of Indian Affairs.

Respectfully,

(SIGNED).

T. E. Hodges.

Commissioner in Charge.

Registered.

COPY

M.C.R. 2036.

Muskogee, Indian Territory, January 17, 1903.

Mansfield, McMurray & Cornish,
Attorneys for Choctaw and Chickasaw Nations,
South McAlester, Indian Territory.

Gentlemen:

You are hereby advised that on the 17th day of January, 1903, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Mariah Edwards, et al., embracing the following applications for identification as Mississippi Choctaws:

 Mariah Edwards, et al., M.C.R. 2036,
 Matilda Moore, et al., M.C.R. 1976.

These applications were made under the provision of the Act of Congress of June 28, 1898 (30 Stats., 495).

Said decision concludes as follows:

"It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Mariah Edwards, Sarah Edwards, Henry Edwards, Polly Edwards, Larney Edwards, Henrietta Edwards, Kittie Edwards, Matilda Moore, Mariah Moore, Henry Columbus Moore, Moses Moore, Will Moore, Ben Moore and Elisha Moore, as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the applications for their identification as such should be refused, and it is so ordered."

You are further advised that the applicants in this case have been allowed fifteen days from the date hereof within which to file arguments in this office, and that at the expiration of said time the papers in the case, together with such arguments, will be forwarded to the Secretary of the Interior through the Commissioner of Indian Affairs.

Respectfully,

(SIGNED)

T. D. McJannet

Commissioner in Charge

COPY

Muskogee, Indian Territory, February 2, 1903.

The Honorable,

The Secretary of the Interior.

Sir:

There is transmitted herewith the record in the consolidated case of Mariah Edwards, et al., applicants to the Commission for identification as Mississippi Choctaws, including the decision of the Commission of January 17, 1903.

The above consolidated case embraces the following original applications for identification as Mississippi Choctaws heard by the Commission:

 Mariah Edwards, et al., M.C.R. 2036,
 Matilda Moore, et al., M.C.R. 1976.

The Commission has the honor to report that the principal applicants in the several separate applications, their attorney of record and the attorneys for the Choctaw and Chickasaw Nations have been duly advised by letter of the action of the Commission, copies of said letters being attached to the record.

The applicants in this case are related to the applicant in the Mississippi Choctaw case of Ben Hollis, decision in which was rendered by the Commission on July 25, 1902, and approved by the Secretary on August 25, 1902.

Respectfully,

Through the
Commissioner of Indian Affairs.

M.C.R. 2036.

(S) v

John C. Gandy

Acting Chairman.

D.C. 8041-1903

I.T.D. 2170-1903.
IRS.

COPY
DEPARTMENT OF THE INTERIOR.
WASHINGTON

WHR

March 20, 1903.

Commission to the Five Civilized Tribes,
Muskogee, Indian Territory.

Gentlemen:

February 2, 1903, you transmitted the record in the matter of the application of Mariah Edwards (M.C.R. 2036), Sarah Edwards, Henry Edwards, Polly Edwards, Larnsey Edwards, Henrietta Edwards, Kittie Edwards, Matilda Moore, Mariah Moore, Henry Columbus Moore, Moses Moore, Will Moore, Ben Moore and Elisha Moore, for identification as Mississippi Choctaws, including your decision of January 17, 1903, adverse to the applicants.

The principal applicants, Mariah Edwards and Matilda Moore, are sisters, the daughters of Henry and Sarah Hollis, the former, according to the testimony presented, possessing but very little Choctaw blood, and the latter alleged to be a one half or three-quarter blood Choctaw Indian, through whom descent is claimed. Descent is also claimed through their father's father, one Jacob Machett, degree of blood not stated. The other applicants are the children of said principal applicants.

From an examination of the records it does not appear that any one of the applicants was ever admitted or enrolled as a citizen of the Choctaw Nation, or that said Sarah Hollis or Jacob Machett, through whom descent is claimed, or a less remote ancestor, complied

or attempted to comply with the provisions of article fourteen of the treaty of September 27, 1830, or with the subsequent acts relating thereto.

Reporting in the matter February 24, 1903, the Acting Commissioner of Indian Affairs stated:

The applicants rely entirely on their Choctaw blood coming through the mother of the principal applicants, Sarah Hollis, who is still living and whom it is not claimed was alive in 1830,

The decision of the Commission is based on the ground that the names of Jacob Machett or Sarah Hollis do not appear in its records as among those who complied or attempted to comply with the provisions of the 14th article of the Choctaw treaty of 1830.

The records of this office have been examined as to the name of Sarah Hollis and it is not found included in the list of those persons who complied or attempted to comply with the provisions of the 14th article of the Choctaw treaty of 1830, and I have, therefore, to recommend that the decision of the Commission rejecting these applicants be approved.

The Department concurs in the recommendation of the Acting Commissioner, a copy of whose report is enclosed, and your decision rejecting the application is accordingly hereby affirmed.

Respectfully,

(Signed) Thos Ryan

Acting Secretary.

1 Inclosure.

Land.
8475-1903

COPY
DEPARTMENT OF THE INTERIOR.
OFFICE OF INDIAN AFFAIRS,
WASHINGTON,

February 24, 1903.

The Honorable

The Secretary of the Interior.

Sir:

There is transmitted herewith record of the Commission to the Five Civilized Tribes in the matter of the application for identification as Mississippi Choctaws of Mariah Edwards, for herself and her six children, Sarah, Henry, Polly, Larney, Henrietta and Kittie Edwards; Matilda Moor, for herself and her six children, Mariah, Henry, Columbus, Moses, Will, Ben and Elisha Moore, wherein a decision adverse to the applicants was rendered by the Commission on January 17, 1903.

The office has made an examination of the evidence in this case and finds that the principal applicants are unable to state that their Choctaw ancestors of 1830, whose names they are unable to give were recognized citizens of the Choctaw Nation in Mississippi or Alabama at that time, or had an improvement or received benefits under the provisions of the 14th article of the Choctaw treaty of 1830. The applicants rely entirely on their Choctaw blood coming through the mother of the principal applicants, Sarah Hollis, who is still living and whom it is not claimed was alive in 1830.

-2-

The decision of the Commission is based on the ground that the names of Jacob Mashett or Sarah Hollis do not appear in its records as among those who complied or attempted to comply with the provisions of the 14th article of the Choctaw treaty of 1830.

The records of this office have been examined as to the name of Sarah Hollis and it is not found included in the list of those persons who complied or attempted to comply with the provisions of the 14th article of the Choctaw treaty of 1830, and I have therefore to recommend that the decision of the Commission rejecting these applicants be approved.

Very respectfully,

(Signed) A. C. Tonner

Acting Commissioner

E.B.H. H'r

3 enclosures.

M.C.R. 2036

COPY.

Muskogee, Indian Territory, March 27, 1903.

Mariah Edwards,

Gibson, Mississippi.

Dear Madam:-

You are hereby notified that on the 20th day of March, 1903, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of Mariah Edwards, et al., of which decision you were advised by registered mail on the 17th day of January, 1903.

Respectfully,

(S)

Tara Carter
Chairman

M.C.R. 2036

Muskogee, Indian Territory, March 27, 1903.

Mansfield, McMurray & Cornish,

Attorneys for the Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:-

You are hereby notified that on the 20th day of March, 1903, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of Mariah Edwards, et al., of which decision you were advised by mail on the 17th day of January, 1903.

Respectfully,

Tame Bixby.
Chairman

M.C.R. 2036

Muskogee, Indian Territory, March 27, 1903.

John S. Hagler,
Attorney at Law,
Bowie, Texas.

Dear Sir:-

You are hereby notified that on the 20th day of March, 1903, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of Mariah Edwards, et al., of which decision you were advised by registered mail on the 17th day of January, 1903.

Respectfully,

Taron P. H. H.
Chairman

REF. JUNE 1911

Maria Edwards
1911

Consolidated Gas

Jacob Mackett, Chas?

Sarah Hallis $34\frac{1}{2}$
mar slave

Henry Hallis, Chas?
negro slave

Mariah Hallis $35\frac{1}{4}$
mar.

Kit Edwards
negro slave

Matilda Hallis $28\frac{1}{6}$
mar

Bill Moore, negro

Sarah Edwards 19

Henry Edwards 16

Polly Edwards 14

Harvey Edwards 12

Henrietta Edwards 7

Kittie Edwards 1

Mariah Moore 13

Henry Columbus Moore 11

Moses Moore 7

Will Moore 6

Ben Moore 5

Elisha Moore, 6mo

For Identification as a Mississippi Choctaw.

Date MAY -6 1901

Name Maria Edwards.

Age 35. Blood $\frac{1}{4}$

Post Office Gibson, Miss.

Father: Henry Hollis - ✓

Mother: Sarah Hollis - ✓

Claims through mother

HUSBAND:

Kit Edwards - 50
 (no claim for husband).

Children:

Sarah Edwards	19.
Henry "	16.
Polly "	14.
" Larney "	12.
Henrietta "	9
Kittie "	6

(?)

Stenographer

J. S. Niles

A MISSISSIPPI CHOCTAW

R. 2030

Maria Edwards
Et. al.

REFUSED

DEC.

RECU.

2

IN MALEU AFFILIANT

JAN 17 1903

NOTICE OF NON-RECEIPT

AND NO ACTION TAKEN

JAN 17 1903

RECEIVED

JAN 17 1903

RECORD FORWARDED DEPARTMENT.

FEB 2 - 1903

MAR 29 1903

AL A J IN

MAR 27 1903

NO ACTION TAKEN
FORWARDED ATT. BY APPLICATION

NO ACTION TAKEN
FORWARDED ATT. BY CHOCTAW
AND LAWYER

MAR 27 1903

REFLECT TO M. C. 1/17

Choctaw MCR 2037

Beeley Simpson

MCR 2037

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

The within record is in the matter of the
application of Beeley Simpson, et al., for identification
as Mississippi Choctaws,

M.C.R. 2037

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

In the matter of the application of Beeley Simpson, et al., for identification as Mississippi Choctaws, M.C.R. 2037.

I N D E X

	Page
Original application of Beeley Simpson et al., to the Dawes Commission for identification as Mississippi Choctaws	1
Decision of the Commission identifying Beeley Simpson et al., as Mississippi Choctaws	4

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Philadelphia, Mississippi, May 4, 1901.

In the matter of the application of Beeley Simpson for the identification of herself and her minor child as Mississippi Choctaws.

Beeley Simpson, having been first duly sworn, upon her oath testifies as follows, through Joe Jimmerson, duly sworn Choctaw interpreter:

Examination by the Commission:

- Q What is your name? A Beeley Simpson.
Q How old are you? A Twenty four.
Q What is your post office address? A Cushtusa, Mississippi.
Q How long have you lived in Mississippi? A Always.
Q Born in Mississippi? A Yes.
Q What is your father's name? A Wallace Emi-yah-tubbee.
Q Is he a full blood Choctaw Indian? A Yes.
Q Living? A Yes.
Q What is your mother's name? A Nancy.
Q Is she a full blood? A Yes.
Q Is she living? A Yes.
Q Are you married? A Been married, but separated.
Q Have you any children? A One child.
Q You claim to be a full blood? A Yes.
Q And claim through both your parents? A Yes.
Q Have your parents through whom you claim the right to identification as a Mississippi Choctaw ever been recognized in any manner or enrolled as members of the Choctaw tribe of Indians by the Choctaw tribal authorities or by the United States authorities? A No.
Q What is your husband's name? A Luckett Simpson.
Q You are not living with him now? A No.
Q And you do not apply for him? A No.
Q Is he a full blood? A Yes.
Q Was you married to your husband under the Choctaw custom? A By license.
Q What is the name of your child? A Leslie, about two years old.
Q Is your name or the name of this child upon any of the tribal rolls of the Choctaw Nation? A No.
Q Did you ever make application for enrollment to the Choctaw tribal authorities? A No.
Q Did you or any one for you or for your child in 1896 make application to the Commission to the Five Civilized Tribes for citizenship in the Choctaw Nation under the act of Congress of June 10, 1896? A No.
Q Did you ever make any application before this time or did any one ever make any application for you for citizenship in the Choctaw Nation to the Dawes Commission or the Choctaw tribal authorities?
A My father made application.

The records of the Commission show that Wallace Emi-yah-tubbee appeared before the Commission at Philadelphia, Mississippi, on January 31, 1899, and there made application for the identification of this applicant as a Mississippi Choctaw, her name appearing is Meeley ~~in~~ Emi-yah-tubbee, upon Mississippi Choctaw Card, Field No. 271, also upon page 70 of the schedule of Mississippi Choctaws which accompanied the report of the Commission to the Five Civilized Tribes of March 10, 1899, to the Secretary of the Interior as to the identity of Choctaw Indians residing in Mississippi, claiming rights in the Choctaw lands under the

Beeley Simpson---2.

provisions of the fourteenth article of the treaty of Dancing Rabbit Creek, being roll No. 925 thereon.

Q Your father then gave your name in as Meeley, it should be Beeley?
A Yes.

Q Except two years ago, is this the first application of any kind you have ever made? A Yes.

Q Are you now making application for identification as Mississippi Choctaws for yourself and child? A Yes.

Q Do you claim your rights as a beneficiary under the fourteenth article of the treaty of 1830? A Yes.

Q Have you ever received any benefits as a Choctaw Indian? A No.

Q Have any of your ancestors ever received any benefits as Choctaw Indians? A No.

Q Do you know the names of any of your ancestors who were recognized members of the Choctaw tribe of Indians in 1830 when the treaty of Dancing Rabbit Creek was entered into between the United States government and the Choctaw tribe of Indians? A Don't know.

Q Did your ancestors remove from the old Choctaw Nation in Mississippi and Alabama to the present Choctaw Nation in Indian Territory between the years 1833 and 1838 when the other Indians went there?
A No.

Q Did any of your ancestors within six months after the ratification of the treaty of 1830 tell the United States Indian Agent living in Mississippi that they would rather remain in Mississippi and take land here and become citizens of the states instead of going to the territory? A No.

Q Have any of your ancestors ever received or claimed any land in Mississippi under article fourteen of the treaty of 1830? A No.

Q Is there anything further you want to state in regard to your application? A No.

Q Have you any documentary evidence, affidavits, written testimony of any description, copies of records, deeds or patents, or any proper papers showing that any of your ancestors were recognized members of the Choctaw tribe of Indians in 1830 when the treaty of Dancing Rabbit Creek was entered into between the United States government and the Choctaw Indians or that any of them ever ~~received or claimed~~ complied or attempted to comply with the provisions of the fourteenth article of that treaty or ever received any benefits thereunder?
A No.

This applicant has the appearance and all characteristics of a full blood Choctaw Indian. She speaks the Choctaw language, but not the English language. Her testimony was given through a sworn Choctaw interpreter.

The decision of the Commission as to the application made by you at this time for the identification of yourself and one minor child as Mississippi Choctaws will be determined at the earliest possible date and a report of the same made to the Secretary of the Interior conformable to the provisions of the twenty first section of the act of Congress of June 28, 1898, and a copy of the same will be mailed to you at your post office address as given in your testimony.

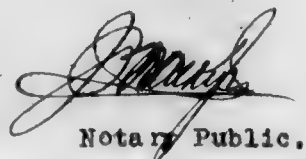
HL C: Risteen, having been first duly sworn, upon his oath states: That as stenographer to the Commission to the Five Civilized Tribes he reported in full all proceedings had in the above entitled cause on the 4th day of August, 1901, and that the above and foregoing is a full true and correct transcript of his stenographic notes of said

Beeley Simpson-----3.

proceedings on said date.

H. C. Rusten

Subscribed and sworn to before me at Meridian, Mississippi, this
22nd day of May, 1901.


Notary Public.

Cow.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

In the matter of the application of Beeley Simpson, et al., for identification as Mississippi Choctaws, M.C.R. 2037.

-----D E C I S I O N -----

It appears from the record herein that application for identification as Mississippi Choctaws was made to this Commission on May 4, 1901, by Beeley Simpson for herself and her minor child, Leslie Simpson, under the following provision of the Act of Congress approved June 28, 1898(30 Stats. 495):

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto and make report to the Secretary of the Interior."

From the evidence submitted in support of said application it appears that both the applicants are full blood Mississippi Choctaw Indians.

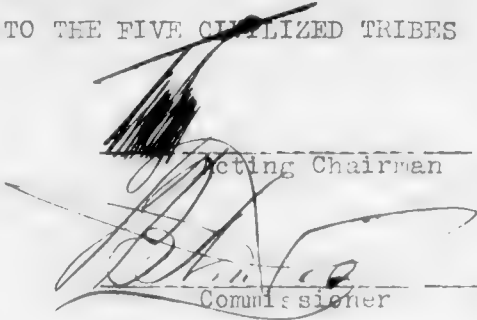
Section forty-one of the Act of Congress entitled "An Act to ratify and confirm an agreement with the Choctaw and Chickasaw

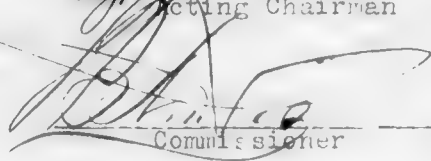
tribes of Indians, and for other purposes" approved July 1, 1902, (32 Stats. 641) and ratified by the Choctaw and Chickasaw Nations September 25, 1902, provides as follows:

"The application of no person for identification as a Mississippi Choctaw shall be received by said Commission after six months subsequent to the date of the final ratification of this agreement and in the disposition of such applications all full-blood Mississippi Choctaw Indians and the descendants of any Mississippi Choctaw Indians whether of full or mixed blood who received a patent to land under the said fourteenth article of the said treaty of eighteen hundred and thirty who had not moved to and made bona fide settlement in the Choctaw-Chickasaw country prior to June twenty-eighth, eighteen hundred and ninety eight, shall be deemed to be Mississippi Choctaws, entitled to benefits under article fourteen of the said treaty of September twenty-seventh, eighteen hundred and thirty, and to identification as such by said Commission, but this direction or provision shall be deemed to be only a rule of evidence and shall not be invoked by or operate to the advantage of any applicant who is not a Mississippi Choctaw of the full blood, or who is not the descendant of a Mississippi Choctaw who received a patent to land under said treaty, or who is otherwise barred from the right of citizenship in the Choctaw Nation, all of said Mississippi Choctaws so enrolled by said Commission shall be upon a separate roll."

It is, therefore, the opinion of this Commission that Beoley Simpson and Leslie Simpson should be identified as Mississippi Choctaws, and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES


Acting Chairman


Commissioner


Commissioner

Muskogee, Indian Territory

5

FEB 14 1903

M.C.F. 2037

Muskogee, Indian Territory, February 21, 1903.

Mansfield, McMurray & Cornish,
Attorneys for the Choctaw and Chickasaw Nations,
South McAlester, Indian Territory.

Gentlemen:

Enclosed herewith you will find a copy of the decision of the Commission rendered February 14, 1903, identifying Beeley Simpson and minor child, Leslie Simpson, as Mississippi Choctaw Indians under the provisions of the forty-first section of the act of Congress approved July 1, 1902, (32 Stats., 641).

You are hereby advised that you will be allowed fifteen days from the date hereof, in which to file with this Commission such protest as you desire to make against the action of the Commission in identifying the said Beeley Simpson and child as Mississippi Choctaws, and make satisfactory proof of service of said protest upon the applicants herein.

If you fail to file such protest within the time allowed, the names of the applicants herein will be placed upon the schedule of duly identified Mississippi Choctaws now being prepared by this Commission.

Respectfully,

James L. Smith
Acting Chairman.

Registered.

Enc. MT. 49

April 24
Armore, I. T. ~~February 17~~, 1903.

To the Commission to the Five Civilized Tribes,

Muskogee, Indian Territory.

You will please deliver to J. G. Ralls, of Atoka, Indian Territory, any copies of records in my case that, under the rule of law the Commission may give out to Attorneys, as I have employed him to assist me in this case.

WITNESSETH:

J. T. Hiffert

Res
Beeley & Simpson
Attorneys

M.A.R. 2037

COPY.

Muskogee, Indian Territory, March 11, 1903.

Beeley Simpson,

Cushtusa, Mississippi.

Dear Madam:

Enclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered February 14, 1903, identifying yourself and your minor child, Leslie Simpson, as Mississippi Choctaw Indians under the provisions of section 41 of the act of Congress approved July 1, 1902, (32 Stats., 641).

If you remove to the Choctaw-Chickasaw country, Indian Territory, before August 14, 1903, you will have six months from that date or until February 14, 1904, within which to make proof of such removal and settlement at the office of the commission at Atoka, Choctaw Nation, or Tishomingo, Chickasaw Nation.

Respectfully,

(S. D.)

Tams Bixby.

Chairman.

Registered.

Enc. 2037.

Muskogee, Indian Territory, July 7, 1903.

B. J. Simpson,
Philadelphia, Mississippi.

Dear Madam:

Receipt is hereby acknowledged of your letter of June 24, 1903, in which you state that you have no money with which to pay the expenses of your removal to Indian Territory. You ask "Can we select land before Aug"?

In reply you are informed that it appears from our records that on February 14, 1903, the Commission rendered its decision identifying Beeley Simpson and her minor child, Leslie Simpson, as Mississippi Choctaws entitled to allotment in the lands of the Choctaw and Chickasaw Nations.

If you are identical with the Beeley Simpson herein mentioned, you are advised that if you remove to the Choctaw-Chickasaw country, Indian Territory, before August 14, 1903, you will have six months from that date or until February 14, 1904, within which to make proof of such removal and settlement at the office of the Commission at Atoka, Choctaw Nation, or Tishomingo, Chickasaw Nation.

The Commission has no means at its disposal for the purpose of defraying the expenses of identified full blood Mississippi

B J 8 2

Choctaws incurred in their removal to Indian Territory. Congress appropriated twenty thousand dollars for this purpose, but the Commission has not yet been advised by the Secretary of the Interior of the means provided for the distribution of this money.

Respectfully,

Commissioner in Charge.

**FOR IDENTIFICATION AS
A MISSISSIPPI CHOCTAW.**

IN RE

Application for Enrollment of

INFANT CHILD

Leslie Simpson.

as a citizen of

MISSISSIPPI CHOCTAW.

Nation.

Approved,

190

**FOR IDENTIFICATION AS
A MISSISSIPPI CHOCTAW.**

Commissioner.

The application herein is accepted by the Commission as evidence of the birth of this child and not as an application for its enrollment as a citizen of the Choctaw Nation; and is to be filed with and made a part of the original application of its parents for identification as Mississippi Choctaws.

[Signature]
Acting Chairman.

May 14th, 1901.

MISSISSIPPI CHOCTAW.

#271

2037
Recd. May, 13, 1901

Miss. Choctaw cord
No 271

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

FOR IDENTIFICATION AS

A MISSISSIPPI CHOCTAW

IN RE Application for Enrollment, as a citizen of the

Choctaw

Nation.

of Leslie Simpson

born on the

day of

1899

Name of Father: Locket Simpson

a citizen of the

Choctaw Indian

Nation.

Name of Mother: Berley

a citizen of the

Choctaw Indian

Nation.

Post-office,

Cucktuba Miss

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA.

State of Mississippi
Neshoba County

I, Berley Simpson

on oath state that I am

24

years of age and a

Choctaw Indian by blood

Nation

that I am the lawful wife of

Locket Simpson

who is a citizen by

Choctaw Indian by blood

Nation

that a female child was

(male or female)

born to me on the

6th

day of

January

1899

that said child has been

named

Leslie Simpson

and is now living.

WITNESSES TO MARK

(Must be Two
Witnesses)

G. L. V. Emerson

C. H. Simpson

Berley x Simpson

Subscribed and sworn to before me this

4th

day of

May

1901

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA.

State of Mississippi
County of Neshoba

I, Wallace Emigah tubbee

Choctaw Indian

on oath state that I

attended on Mrs.

Berley Simpson

wife of Locket Simpson

on the

6th

day of

January

1899

that there was born to her on

said date a

female

(male or female)

child; that said child is now living and is said to have been

named

Leslie Simpson

WITNESSES TO MARK

(Must be Two
Witnesses)

G. L. V. Emerson

C. H. Simpson

Wallace x Emigah tubbee
his Mark

Subscribed and sworn to before me this

4th

day of

May

1901

Howell I. Quinn
Justice of the Peace
Neshoba Co, State of
Miss

5/10/01

W.P.B.

Lele Simpson is a young
woman whose name appears
on Miss. C. card No 271
as Meeley Emi-yah-tubtee.
H. L. E.

FOR IDENTIFICATION AS
MISSISSIPPI CHOCTAW.

Beeley Simpson, et al.

2039

COPY OF DECISION FORWARDED
APPLICANT

MAR 11 1903 -

For Identification as a Mississippi Choctaw.

Date MAY 4 1901

Name Beeley Simpson

Age 24 Blood full

Post Office, Quitman, Miss.

Father: Wallace Emi-yah-tubbe

Mother: Nancy " ft. l.

Claims through both parents.

Husbands.

Lucas Simpson - f. b.
no app. for husband.

Children

Leellie (girl) don't know
how old.

See M.C. Card filed No. 271

Claims for self &
child

Stenographer H. C. Ristman

Choctaw MCR 2038

John Simpson

MCR 2038

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

The within record is in the matter of the
application for the identification of John Simpson as a
Mississippi Choctaw,
M.C.R. 2038.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

In the matter of the application for the identification
of John Simpson as a Mississippi Choctaw, M.C.R. 2038.

----- I N D E X -----

	Page
Original application of Jefferson Simpson for the identification of his father John Simpson, as a Mississippi Choctaw	1
Power of Attorney of John Simpson authorizing his son Jefferson Simpson to make application for him	3
Decision of the Commission identifying John Simpson as a Mississippi Choctaw	4

2 137

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Philadelphia, Mississippi, May 4, 1901.

In the matter of the application of Jefferson Simpson for the identification of his father, John Simpson, an aged and infirm person.

Jefferson Simpson, having been first duly sworn, upon his oath testifies as follows:

Examination by the Commission:

- Q What is your name? A Jefferson Simpson.
- Q Where does John Simpson, for whom you now apply, live? A Tucker Mississippi.
- Q What is his age? A Eighty four.
- Q Has he always lived in Mississippi? A Yes.
- Q What is his father's name? A Simpson, Choctaw name Bochia.
- Q Was he a full blood? A Yes.
- Dead? A Yes.
- Q What was his mother's name? A Don't know.
- Q Was she a full blood? A Yes.
- Q Dead? A Yes.
- Q Do you appear for your father, John Simpson, under a power of attorney? A Yes.
- Q Because he is aged and infirm and unable to come? A Yes, not able to come.
- Q Is your father married? A Wife died.
- Q Has he any children under twenty one and unmarried? A No.
- Q You just appear for him alone? A Yes.
- Q Is his name on any of the tribal rolls of the Choctaw Nation in Indian Territory? A No.
- Q Has he ever made application to the Choctaw tribal authorities in Indian Territory to be enrolled as a member of that tribe? A No.
- Q Did he or any one for him in 1896 make application to the Dawes Commission under the act of Congress of June 10, 1896? A No.
- Q Has he ever made application before this time to either the Choctaw tribal authorities or to the authorities of the United States to be admitted or enrolled as a citizen of the Choctaw Nation? A My father made application for himself two years ago.

The records of the Commission show that John Simpson appeared before the Commission at Carthage, Mississippi, January 25, 1899 and there made application for identification as a Mississippi Choctaw, his name appearing upon Mississippi Choctaw Card, Field No. 79, also upon page 44 of the schedule of Mississippi Choctaws which accompanied the report of the Commission to the Five Civilized Tribes of March 10, 1899, to the Secretary of the Interior as to the identity of Choctaw Indians residing in Mississippi claiming rights in the Choctaw lands under the provisions of article fourteen of the treaty of Dancing Rabbit Creek, being roll No. 286 thereon.

- Q You now appear to make application for identification as a Mississippi Choctaw for your father, John Simpson? A Yes.
- Q Do you make this application under the fourteenth article of the treaty of 1830? A Yes.
- Q Has your father or his ancestors ever received any benefits as Choctaw Indians? A No.
- Q Do you know the names of any of his ancestors who were recognized members of the Choctaw tribe of Indians in 1830? A No.
- Q Do you know whether any of them removed from Mississippi to the

Jefferson Simpson----2.

Indian Territory with the other Indians between the years 1833 and 1838? A I son't know.

Q Do you know whether any of them went to the United States Indian Agent in Mississippi within six months after the ratification of the treaty of 1830 and told him they preferred to stay in Mississippi and not go to Indian Territory? A Don't know.

Q Have any of his ancestors ever claimed or received any land in Mississippi under article fourteen of the treaty of 1830? A No.

Q Have you anything further to say about this claim? A No.

Q Have you any documentary evidence, affidavits, written testimony of any description, copies of records, deeds or patents, or other proper papers, showing that any of John Simpson's ancestors were recognized members of the Choctaw tribe of Indians in 1830 when the treaty of Dancing Rabbit Creek was entered into between the United States and the Choctaw Indians, or that any of them ever applied or attempted to comply with the provisions of the fourteenth article of that treaty or ever received any benefits thereunder? A No.

Jefferson Simpson who makes this application on behalf of his father has all the characteristics of a full blood Choctaw Indian; he speaks the Choctaw language and English language very imperfectly.

The decision of the Commission as to the application made by you at this time for the identification of your father, John Simpson, as a Mississippi Choctaw, will be determined at the earliest possible date and a report of the same made to the Secretary of the Interior conformable to the provisions of the twenty first section of the act of Congress of June 28, 1898, and a copy of the same will be mailed to John Simpson at his post office address as given in your testimony.

H.C.Risteen, having been first duly sworn, upon his oath states: That as stenographer to the Commission to the Five Civilized Tribes he reported in full all proceedings had in the above entitled cause on the 4th day of May, 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes of said proceedings on said date.

H.C. Risteen

Subscribed and sworn to before me at Meridian, Mississippi, this 22nd day of May, 1901.

[Signature]

Notary Public.

438

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,

FILED
MAY 4 1901

[Signature]
ACTING CHAIRMAN

[Faint handwritten text, possibly a signature or date]

POWER OF ATTORNEY.

KNOW ALL MEN That I, John Simpson of Neshoba County, State of Mississippi, do here constitute Jefferson Simpson of Neshoba County in said state, my attorney in fact to represent me in the presentation of my claim for identification as Mississippi Choctaws for myself and my family before the Commission to the Five Civilized Tribes, now holding a special session at Philadelphia, Neshoba County, Mississippi, in all matters pertaining to the presenting and hearing of said claim before said Commission in which I and my said family are interested as claimants for identification aforesaid and I ratify any acts that may be taken by said Jefferson Simpson as my said attorney, and abide by any decision which may be rendered by said Commission touching my said application, to the same extent as if said application had been made by me in person.

Witness my signature this 4 day of May, 1901.

X John Simpson

WITNESS:

George Polk
State of Miss } Personally appeared before me
Neshoba County } Howell J. Quinn, a Justice of the
Peace for Dist No 1 said County
and State the above named George Polk who af-
ter being duly sworn by me say on oath that he
saw the above named John Simpson sign the
above Power of Atty
Witness my signature this the 4 day of
May 1901
Howell J. Quinn
Justice of the Peace Dist No 1
Neshoba County State of Miss

Civil

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

In the matter of the application for the identification
of John Simpson as a Mississippi Choctaw, M.C.R. 2038.

-----D E C I S I O N -----

It appears from the record herein that application for
identification as a Mississippi Choctaw was made to this Commission
on May 4, 1901, by Jefferson Simpson for his father, John Simpson,
under the following provision of the Act of Congress approved June
28, 1898(30 Stats. 495):

"Said Commission shall have authority to determine the
identity of Choctaw Indians claiming rights in the Choctaw
lands under article fourteen of the treaty between the United
States and the Choctaw Nation, concluded September twenty-
seventh, eighteen hundred and thirty, and to that end may
administer oaths, examine witnesses and perform all other acts
necessary thereto and make report to the Secretary of the
Interior."

From the evidence submitted in support of said application
it appears that the applicant is a full blood Mississippi Choctaw
Indian.

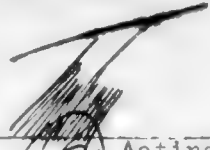

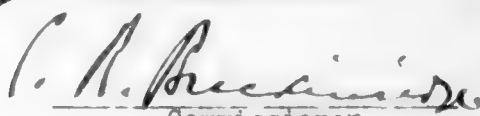
Section forty-one of the Act of Congress entitled "An Act
to ratify and confirm an agreement with the Choctaw and Chickasaw
tribes of Indians, and for other purposes" approved July 1, 1902,

(32 Stats. 641) and ratified by the Choctaw and Chickasaw Nations September 25, 1902, provides as follows:

"The application of no person for identification as a Mississippi Choctaw shall be received by said Commission after six months subsequent to the date of the final ratification of this agreement and in the disposition of such applications all full-blood Mississippi Choctaw Indians and the descendants of any Mississippi Choctaw Indians whether of full or mixed blood who received a patent to land under the said fourteenth article of the said treaty of eighteen hundred and thirty who had not moved to and made bona fide settlement in the Choctaw-Chickasaw country prior to June twenty-eighth, eighteen hundred and ninety-eight, shall be deemed to be Mississippi Choctaws, entitled to benefits under article fourteen of the said treaty of September twenty-seventh, eighteen hundred and thirty, and to identification as such by said Commission, but this direction or provision shall be deemed to be only a rule of evidence and shall not be invoked by or operate to the advantage of any applicant who is not a Mississippi Choctaw of the full blood, or who is not the descendant of a Mississippi Choctaw who received a patent to land under said treaty, or who is otherwise barred from the right of citizenship in the Choctaw Nation, all of said Mississippi Choctaws so enrolled by said Commission shall be upon a separate roll."

It is, therefore, the opinion of this Commission that John Simpson should be identified as a Mississippi Choctaw, and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES


Acting Chairman

Commissioner

Commissioner

Muskogee, Indian Territory

FEB 14 1903

COPY.

M C R 2038

Muskogee, Indian Territory, February 21, 1903.

Mansfield, McMurray & Cornish,

Attorneys for the Choctaw and Chickasaw Nations,
South McAlester, Indian Territory.

Gentlemen:

Enclosed herewith you will find a copy of the decision of the Commission rendered February 14, 1903, identifying John Simpson as a Mississippi Choctaw Indian under the provisions of the forty-first section of the act of Congress approved July 1, 1902, (32 Stat. 641).

You are hereby advised that you will be allowed fifteen days from the date hereof, in which to file with this Commission such protest as you desire to make against the action of the Commission in identifying the said John Simpson as a Mississippi Choctaw, and make satisfactory proof of service of said protest upon the applicant herein.

If you fail to file such protest within the time allowed, the name of the applicant herein will be placed upon the schedule of duly identified Mississippi Choctaws now being prepared by this Commission.

Respectfully,

Tame Dixby.

Register.
GR-encl-21-11.

Acting Chairman.

M.O.R. 2038.

Copy.

Muskogee, Indian Territory, March 11, 1903.

John Simpson,

Tucker, Mississippi.

Dear Sir:

Enclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered February 14, 1903, identifying you as a Mississippi Choctaw Indian, under the provisions of section 41 of the act of Congress approved July 1, 1902, (32 Stat., 641).

If you remove to the Choctaw-Chickasaw country, Indian Territory, before August 14, 1903, you will have six months from that date, or until February 14, 1904, within which to make proof of such removal and settlement at the office of the Commission at Afton, Choctaw Nation, or Tishomingo, Chickasaw Nation.

Respectfully,

Tarns Bixby.
Chairman.

Registered.

Enc.: 2038.

No. 2038

For Identification as a Mississippi Choctaw.

Date MAY 4 1901

Name *Jefferson Simpson*
for his father John Simpson
Age *84* Blood *full*

Post Office, *Truckee, Miss. ft*

Father: *Simpson (Choctaw) d*

Mother: *(Don't know ft. d*

Claims through *both parents*

Claims for his father
under power of
attorney

Children:

See M.C. Card filed
No. 79.

Stenographer *H.C. Ristum*

96
FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE
WASHINGTON, D. C.

12-20
John Simpson

DEC 10

1161

D
A
C
COPY OF DECISION FORWARDED
APPLICANT,

MAR 11 1903

Choctaw MCR 2039

Nolie Billey

MCR 2039

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

The record herein is in the matter of
the application of Nolie Billey, et al., for
identification as Mississippi Choctaws,

M.C.R. 2039

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

In the matter of the application of Nolie Billey et al.,
for identification as Mississippi Choctaws, M.C.R. 2039

I N D E X

	Page
Original application of Nolie Billey et al., to the Dawes Commission for identification as Mississippi Choctaws	1
Decision of the Commission identifying Nolie Billey et al., as Mississippi Choctaws	5

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Philadelphia, Mississippi, May 4, 1901.

In the matter of the application of Nolie Billey for the identification of herself and her two minor children as Mississippi Choctaws.

Nolie Billey, having been first duly sworn, upon her oath testifies as follows, through Tom Tubbee, Official interpreter:

Examination by the Commission:

- Q What is your name? A Nolie Billey.
Q What is your age? A Fifty.
Q What is your post office address? A Tucker, Mississippi.
Q How long have you lived in Mississippi? A All my life.
✓ Q Is your father living? A Yes.
✓ Q What is his name? A John Smith.
Q Has he a Choctaw name? A Ah-no-sa-cubbee.
✓ Q Is your mother living? A Dead.
✓ Q What was her name? A Mollie.
Q Did she have a Choctaw Name? A That is all the name.
✓ Q Was your mother a full blood Choctaw? A Yes.
✓ Q Was your father a full blood Choctaw? A Yes.
✓ Q You claim to be a full blood, do you? A Yes.
Q Were either of your parents ever recognized in any manner or enrolled as members of the Choctaw tribe of Indians by the Choctaw tribal authorities in the Indian Territory or by the United States authorities? A No.
Q Did your mother always live in Mississippi? A Yes.
Q Did your father always live here A He has been out to the territory.
Q How long did he stay out in the Indian Territory when he was out there? A Don't know.
Q Do you know how many times he was out there? A Went twice.
Q Do you know when it was he went there? A I don't know.
Q Where does he live now? A Lives in Neshoba.
Q Are you married? A My husband died.
✓ Q What was your husband's name? A Tom Billey.
✓ Q Was he a full blood Choctaw? A Yes.
Q Did he always live in Mississippi? A Yes.
Q Did his father and mother always live in Mississippi? A Yes.
Q Were his father and mother ever recognized in any manner or enrolled as members of the Choctaw Nation in the Indian Territory by the Choctaw tribal authorities or the United States authorities? A Don't know.
Q Have you any children under twenty one and unmarried? A Two.
Q What are their names and ages? A Charley Columbus.
Q How old is Charley Columbus? A Sixteen years.
Q Next one? A Paulina.
Q How old is Paulina? A Four years.
Q Is that all? A Yes.
Q Are you the mother of these children? A Yes.
Q What is their father's name? A Tom Billey.
Q Is your name of the name of either of these children to be found upon the Choctaw tribal rolls in the Indian Territory? A No.
Q Did you ever make application, or did your husband ever make such an application for you to ~~be enrolled~~ the Choctaw tribal authorities in Indian Territory to be enrolled as a member of the Choctaw tribe? A No.

Nellie Billey---2.

Q Did you, or did any one for you, in 1896 make application to the Commission to the Five Civilized Tribes for citizenship in the Choctaw Nation? A Yes.

The records of the Commission show that in 1896, Tom Billey, the husband of this applicant, made application to the Commission to the Five Civilized Tribes for citizenship in the Choctaw Nation for himself, his wife, and three minor children, under the act of Congress of June 10, 1896, their names being included in the case of Jack Amos et al vs. the Choctaw Nation. This application was filed with the Commission on September 10, 1896. On December 7th, 1896, the application was denied by the Commission, and from this decision of the Commission an appeal was taken to the United States Court for the Central District of the Indian Territory, which Court on August 25, 1897, affirmed the decision of the Commission denying the application. Appeal was then taken by the petitioners to the Supreme Court of the United States, where the decision of the lower court was affirmed.

Q Have you ever made any application prior to this time except the application made in 1896 recited in this record? A Tom Billey made application for me two years ago.

The records of the Commission show that on January 30, 1899, Tom Billey appeared before the Commission at Philadelphia, Mississippi, and made application for the identification of himself, his wife, Mollie, and minor children, Martha, Charles C. and Plana, also for a child named Fannie, whom he stated was an orphan, the names of these persons appearing upon Mississippi Choctaw Card Field No. 14, and upon the schedule of Mississippi Choctaws which accompanied the Commission's report of March 10, 1899, to the Secretary of the Interior as to the identity of Choctaw Indians residing in Mississippi, claiming rights in the Choctaw lands under the provisions of the fourteenth article of the treaty of Dancing Rabbit Creek, being Nos. 56, 57, 58, 59, 60 and 61 respectively thereon.

Q At the time Tom Billey appeared before the Commission two years ago, he gave in the name of a child named Fannie, whom he stated was an orphan; was such a child living in your family at that time?

A Yes.

Q What is the surname of the child? A Mever knew what the surname was--just Fannie.

Q What is the name of this child's mother? A Sallie Bob.

Q Was Sallie Bob living when this child was living with you two years ago? A Yes.

Q Is she living now? A Yes.

Q What is Sallie's husband's name? A Henry Bob.

Q Was Fannie her child by a former husband? A Yes.

Q How did this child happen to be in your family two years ago? A The child was sick--puny, and Tom Billey gave it medicine at that time.

Q Why was it her mother did not keep her? A She went making baskets somewhere.

Q How old a child is Fannie now? A About seven.

Q Fannie is living with her mother now? A Yes.

Nolie Billey---3.

Q Tom Billey gave your name in to the Commission two years ago as Mollie, is that your name? A No, my name is Nolie.

Q At that time, he gave in the name of one of his children as Plana- is that correct? A It should be Paulina.

✓ Q Is it now your purpose to make application for the identification of yourself and two minor children as Mississippi Choctaws?

A Yes.

Q Do you claim your rights as beneficiaries under the provisions of the fourteenth article of the treaty of Dancing Rabbit Creek?

A Yes.

Q Have you ever received any benefits as a Choctaw? A No.

Q Did your husband ever receive any? A No.

Q Did any of your ancestors or any of your husband's ancestors ever receive any benefits as Choctaws? A Yes, daddy got some land here in Mississippi.

Q When did he get that land? A Don't know.

Reference is here made to the application made by John Smith on May 3rd, 1901, at Philadelphia, Mississippi, in which he offered in evidence the original patent granted to him, John Smith (or Ah-nosa-cubbee), by the President of the United States under the provisions of the fourteenth article of the treaty of Dancing Rabbit Creek, covering the S W 1/4 of Sec. 5, Twp.8, North of Range 13 East. This was a case adjudicated by Commissioners Tyler, Gaines and Rush under the provisions of an act of Congress of August 23, 1842, it being Case No.370 contained in Abstract No.1 in the report of said Commissioners found on page 550 of ~~the~~ Volume 1 of the Record of the Court of Claims in the case of the Choctaw Nation of Indians vs. the United States No 12,742, where the following notation is found: "Tonubbee, witness, says claimant with others was at LeFlores for the purpose of having her name registered; that Ward had refused to register any more before the Muggalushes had an opportunity to apply. Claimant continued to reside on her place about nine years after the treaty when she was dispossessed by Joe Kane, a white man. Comrs. allow the claim and award land it not having been disposed of by the govt."

Q Did your father ever have any brothers? A Yes.

Q What were their names? A Done forgot.

Q Do you know what your father's mother's name was? A No.

Q Are there any further statements you want to make in support of your application? A No.

Q Did any of your ancestors, other than your father, or did any of your husband's ancestors, ever claim or receive any land in Mississippi under the provisions of the fourteenth article of the treaty of Dancing Rabbit Creek? A Don't know.

Q Do you know whether any of your husband's ancestors were living here in Mississippi in 1830 when the treaty of Dancing Rabbit Creek was made? A Don't know.

Q Were any of your husband's ancestors recognized members of the Choctaw tribe here at that time? A Don't know.

Q Did any of them move west from the Choctaw Nation in Mississippi and Alabama to the new Nation in the Indian Territory between the years 1833 and 1838? A Don't know.

Q Did any of them within six months after the ratification of the treaty of Dancing Rabbit Creek signify to the United States Indian Agent for the Choctaws here in Mississippi their intention to remain here in Mississippi and become citizens of the states? A Don't know.

Hollie Billey---4.

Q Did any of your husband's people ever get land in Mississippi under the provisions of the fourteenth article of the treaty of Dancing Rabbit Creek? A Don't know.

Q Do you know what your husband's father's name was? A Thlopotub-bee.

Q Do you know what your husband's mother's name was? A Don't know.

Q You never heard of his father or mother or any of his grandparents getting any land here? A No.

Q Have you any documentary evidence, affidavits, written testimony of any descriptions, copies of records, deeds or patents, or any other proper papers, showing that your ancestors or your husband's ancestors were recognized members of the Choctaw tribe of Indians in Mississippi in 1830, or that any of them complied or attempted to comply with the provisions of the fourteenth article of the treaty of 1830 or ever received any benefits under that article of that treaty? A No.

This applicant has every appearance and characteristic of a full blood Choctaw Indian. She speaks the Choctaw language and very little English, the examination having been conducted ~~exactly~~ almost entirely through a sworn Choctaw interpreter.

The decision of the Commission as to the application made by you at this time for the identification of yourself and your two minor children as Mississippi Choctaws will be determined at the earliest possible date and a report of the same made to the Secretary of the Interior conformable to the provisions of the twenty first section of the act of Congress of June 28, 1898, and a copy of the same will be mailed to you at your post office address as given in your testimony.

H.C.Risteen, having been first duly sworn, upon his oath states That as stenographer to the Commission to the Five Civilized Tribes he reported in full all proceedings had in the above entitled cause on the 4th day of May, 1901, and that the above and foregoing is a full true and correct transcript of his stenographic notes of said proceedings on said date.

H.C. Risteen

Subscribed and sworn to before me at Meridian, Mississippi, this 15th day of May, 1901.

[Signature]
Notary Public.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

Civil

In the matter of the application of Nolie Billey, et al.,
for identification as Mississippi Choctaws, N.C.N. 2039.

-----D E C I S I O N -----

It appears from the record herein that application for identification as Mississippi Choctaws was made to this Commission on May 4, 1901, by Nolie Billey for himself, and his two minor children, Charley Columbus and Paulina Billey, under the following provision of the Act of Congress approved June 28, 1898 (30 Stats. 495):

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto and make report to the Secretary of the Interior."

From the evidence submitted in support of said application it appears that all the applicants are full blood Mississippi Choctaw Indians.


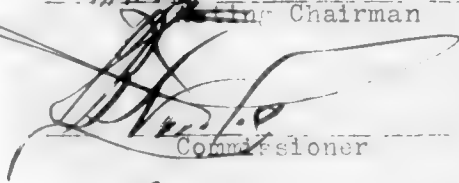

Section forty-one of the Act of Congress entitled "An Act To ratify and confirm an agreement with the Choctaw and Chickasaw

tribes of Indians, and "for other purposes" approved July 1, 1902, (32 Stats. 641) and ratified by the Choctaw and Chickasaw Nations September 25, 1902, provides as follows:

"The application of no person for identification as a Mississippi Choctaw shall be received by said Commission after six months subsequent to the date of the final ratification of this agreement and in the disposition of such applications all full-blood Mississippi Choctaw Indians and the descendants of any Mississippi Choctaw Indians whether of full or mixed blood who received a patent to land under the said fourteenth article of the said treaty of eighteen hundred and thirty who had not moved to and made bona fide settlement in the Choctaw-Chickasaw country prior to June twenty-eighth, eighteen hundred and ninety-eight, shall be deemed to be Mississippi Choctaws, entitled to benefits under article fourteen of the said treaty of September twenty-seventh, eighteen hundred and thirty, and to identification as such by said Commission, but this direction or provision shall be deemed to be only a rule of evidence and shall not be invoked by or operate to the advantage of any applicant who is not a Mississippi Choctaw of the full blood, or who is not the descendant of a Mississippi Choctaw who received a patent to land under said treaty, or who is otherwise barred from the right of citizenship in the Choctaw Nation, all of said Mississippi Choctaws so enrolled by said Commission shall be upon a separate roll."

It is, therefore, the opinion of this Commission that Nollie Billey, Charley Columbus Billey and Paulina Billey should be identified as Mississippi Choctaws, and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES


Chairman

Commissioner

C. R. Anderson
Commissioner

Muskogee, Indian Territory
APR 21 1903

M.C.R. 2039.

COPY

Muskogee, Indian Territory, April 27, 1903.

Mansfield, McMurray & Cornish,
Attorneys for the Choctaw and Chickasaw Nations,
South McAlester, Indian Territory.

Gentlemen:

Enclosed herewith you will find a copy of the decision of the Commission rendered April 27, 1903, identifying Nolie Billey and his minor children, Charley Columbus Billey and Paulina Billey, as Mississippi Choctaw Indians under the provisions of the forty-first section of the act of Congress approved July 1, 1902 (32 Stats 641).

You are hereby advised that you will be allowed fifteen days from the date hereof in which to file with this Commission such protest as you desire to make against the action of the Commission in identifying the said Nolie Billey and children as Mississippi Choctaws, and make satisfactory proof of service of said protest upon the applicants herein.

If you fail to file such protest within the time allowed, the names of the applicants herein will be placed upon the schedule of duly identified Mississippi Choctaws now being prepared by this Commission.

Respectfully,

SIGNED

Tams Dixby.
Chairman.

Registered.
Enclosure 2039.

2000-2039 ✓
M.C.R. 2062
2207-2208

Muskogee, Indian Territory, May 1, 1903.

Boyd Bob,

Engine, Mississippi.

Dear Sir:

Receipt is hereby acknowledged of the joint letter of yourself, Allen Tonubee, Nicklous Tom, Jackson Tonubee and Nola Billie asking whether or not you have been identified as Mississippi Choctaws.

Replying to your communication you are advised that it appears from our records that on April 27, 1903, the Commission rendered decisions identifying Boyd Bob, his wife, Lisby and three minor children; Nolie Billey and two minor children; Nicholas Tom and three minor children; and Allen Tonubee and two minor children as Mississippi Choctaws; and on the same date notice to that effect was furnished the attorneys for the Choctaw and Chickasaw Nations. If at the end of fifteen days from April 27, 1903, no protest has been filed with the Commission by said attorneys against the identification of the above named persons as Mississippi Choctaws their names will be placed upon a schedule of duly identified Mississippi Choctaws now being prepared by the Commission.

You are further advised that it appears from our records that Jackson Tonubee, his wife, Sissie, and five minor children

B.B.----2

are applicants to this Commission for identification as Mississippi Choctaws. Up to the present time no decision has been rendered by the Commission relative to their right to such identification but when a decision is reached they will be duly notified of the action of the Commission.

Respectfully,

Chairman.

COPY.

M.C.R. 2039

Muskogee, Indian Territory, May 5, 1903.

Hollie Billey,

Tucker, Mississippi.

Dear Madam:

Enclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered April 27, 1903, identifying yourself and your minor children, Charley Columbus Billey and Paulina Billey as Mississippi Choctaw Indians under the provisions of Section 41 of the Act of Congress approved July 1, 1902 (32 Stats., 641).

If you remove to the Choctaw-Chickasaw country, Indian Territory, before October 27, 1903, you will have six months from that date, or until April 27, 1904, within which to make proof of such removal and settlement at the office of the Commission at Atoka, Choctaw Nation, or Tishomingo, Chickasaw Nation.

Respectfully,

(SIGNED).

Jame Elzy.

Chairman.

Registered.

Epc. 2039

FOR IDENTIFICATION AS
MISSISSIPPI CHOCTAW

2039

Nolie Bulley, et al.

IDENTIFIED

DEC'S

CO

COPY OF

For Identification as a Mississippi Choctaw.

Date MAY 4 1901

Name Nolie Billey

Age 50 Blood Full

Post Office, Tucker, Miss

Father: John Smith L.
Ah-no-sa-cubbee

Mother: Mollie Smith (dead)

Claims through both parents.
husband Tom Billey (dead)(Claims for herself and 2
minor children)

Children:

Charley Gumbaz Billey	16
Paulina	4

(See Miss Choctaw card
Filed No 14. Testimony
of Jan 30/99)

Stenographer

H. C. Risteen

Choctaw MCR 2040

Horace Pistubbee

MCR 2040

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

The within record is in the matter of the
application of Horace Pis-tubbee, et al., for identification
as Mississippi Choctaws, -----M.C.R. 2040

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

In the matter of the application of Horace Pis-tubbee,
et al., for identification as Mississippi Choctaws, M.C.R. 2040.

I N D E X

	Page
Original application of Horace Pis-tubbee et al., to the Dawes Commission for identification as Mississippi Choctaws	1
Decision of the Commission identifying Horace Pis-tubbee et al., as Mississippi Choctaws	5

4

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Philadelphia, Mississippi, May 4, 1901.

In the matter of the application of Horace Pistubbee for the identification of himself, his wife and five minor children as Mississippi Choctaws.

Horace Pistubbee, having been first duly sworn, upon his oath testifies as follows, through Tom Tubbee, official interpreter:

Examination by the Commission:

- Q What is your name? A Horace Pistubbee.
- Q How old are you? A Forty.
- Q What is your post office address? A Toles, Kemper County, Mississippi.
- Q How long have you lived in Mississippi? A All the time.
- Q Is your father living? A No.
- Q What was his name? A Pistubbee.
- Q Is your mother living? A Yes.
- Q What is your mother's name? A Amy.
- Q Is that all the name she has? A Yes.
- Q Is your mother a full blood? A Yes.
- Q Was your father a full blood? A Yes.
- Q You claim to be a full blood? A Yes.
- Q Has your mother always lived in Mississippi? A Yes.
- Q Did your father always live in Mississippi? A Yes.
- Q Have all of your ancestors as far as you know always lived in Mississippi? A Yes.
- Q Were either of your parents ever recognized in any manner or enrolled as members of the Choctaw tribe of Indians out in the Indian Territory by the Choctaw tribal authorities or by the authorities of the United States? A Don't know.
- Q Are you married? A Yes.
- Q What is your wife's name? A Lena.
- Q Is your wife living? A Yes.
- Q Do you want to make application for her? A Yes.
- Q How old is she? A Thirty two.
- Q Full blood Choctaw? A Yes.
- Q Always lived in Mississippi? A Yes.
- Q When were you married to her? A Five years ago.
- Q Married under license or according to Choctaw custom. A By license.
- Q Where did you get it? A DeKalb.
- Q From whom did you get it? A The clerk of the court.
- Q Who married you? A Preacher Harman, white man.
- Q Have you your license with you here? A No.
- Q Is your wife's father living? A No.
- Q What was his name? A Lizz Bell.
- Q Did he have a Choctaw name? A Yes.
- Q What was it? A Elan-tubbee.
- Q Is your father's mother living? A No.
- Q What was her name? A Don't know.
- Q Were both your wife's parents full blood Choctaws? A Yes, all of them Choctaws.
- Q Did they always live in Mississippi? A Yes.
- Q Have all of your wife's people always lived here as far as you know? A Yes.
- Q Were either of your wife's parents ever recognized in any manner or enrolled as members of the Choctaw tribe of Indians in Indian Territory by the Choctaw tribal authorities or the United States authorities? A Don't know.

Horace Pistubbee---2.

- Q Have you any children? A Yes.
- Q What are their names and ages? A Oldest one Alice, a girl.
- Q How old is Alice? A ten.
- Q Next one? A Mattie.
- Q How old is Mattie? A Seven.
- Q Next one? A Fannie.
- Q How old is Fannie? A Seven.
- Q Next one? A Seleah.
- Q How old is Seleah? A Four.
- Q Next one? A Maggie.
- Q How old is Maggie? A A little over a year.
- Q Is Seleah a boy or girl? A Girl.
- Q You are the father of Alice, Mattie, Seleah and Maggie? A Yes.
- Q What is the name of the mother of Alice and Mattie? A Lona.
- Q Is Lona dead? A Yes.
- Q Was she a full blood Choctaw? A Yes.
- Q Were you married to her under license or according to Choctaw custom? A According to Choctaw custom.
- Q How long did you live with her as man and wife? A Twelve years.
- Q Lived with her until she died? A Yes.
- Q Were Lona's parents full blood Choctaws? A Yes.
- Q Did they always live in Mississippi? A Yes.
- Q Did all of her forefathers always live here in Mississippi as far as you know? A Yes.
- Q The girl, Fannie, is your present wife's daughter by a former husband? A Yes.
- Q What is the name of Fannie's father? A Dixon Billey.
- Q Is he living? A No, dead.
- Q Was he a full blood Choctaw? A Yes.
- Q Did he always live in Mississippi? A Yes.
- Q Did Dixon Billey's ancestors always live in Mississippi? A I don't know.
- Q Was Dixon Billey, or was his father or mother, ever recognized in any manner or enrolled as members of the Choctaw Tribe of Indians in Indian Territory by the Choctaw tribal authorities or by the United States authorities? A Don't know.
- Q Do you know whether Lona or her father or mother were ever recognized in any manner or enrolled as members of the Choctaw tribe of Indians in Indian Territory by the Choctaw tribal authorities or by the United States authorities? A Don't know.
- Q Seleah and Maggie are both children of you and Lena Pistubbee? A Yes.
- Q Are the names of yourself your wife or children to be found upon the Choctaw tribal rolls in Indian Territory? A Don't know.
- Q Did you ever make application to the Choctaw tribal authorities in Indian Territory to be enrolled as members of that tribe? A No.
- Q Did you or any one for you in 1896 make application to the Commission to the Five Civilized Tribes for yourself, your wife or any of these minor children to be admitted to citizenship in the Choctaw Nation? A No.
- Q None of you have ever been admitted to citizenship in the Choctaw Nation in Indian Territory by the Choctaw tribal authorities, by this Commission or by the United States Court in Indian Territory? A No.
- Q Have you ever made any application of any kind either to the tribal authorities of the Choctaw Nation or to the United States authorities prior to this time for citizenship or enrollment in the Choctaw Nation? A I have it in here two years ago.
- Q Is that the only application of any kind you have ever made? A Yes.

The records of the Commission show that on January 31, 1899, this applicant appeared before the Commission at Philadelphia, Miss-

Horace Pistubbee---3.

Mississippi, and made application for the identification of himself, his wife, Lena, and four minor children, Allen, Mattie, Fannie and Selehah, as Mississippi Choctaws, their names appearing upon Mississippi Choctaw Card, field No. 237; also upon page 66 of the schedule of Mississippi Choctaws which accompanied the report of the Commission to the Five Civilized Tribes of March 10, 1899, to the Secretary of the Interior, as to the identity of Choctaw Indians residing in Mississippi claiming rights in the Choctaw lands under the provisions of the fourteenth article of the treaty of Dancing Rabbit Creek, being Nos. 817, 818, 819, 820, 821 and 822 respectively thereon.

Q When you appeared before the Commission two years ago, the Commission recorded the name of your oldest child as Allen, is that right? A No.

Q What is the correct name? A Alice.

Q Maggie has been born since you appeared two years ago? A Yes.

Q This application two years ago is the only application of any kind you have ever made? A Yes.

Q Is it now your purpose to make application for the identification of yourself, your wife and children as Mississippi Choctaws? A Yes.

Q Do you claim your rights under the fourteenth article of the treaty of Dancing Rabbit Creek? A Yes.

Q Have you ever received any benefits as a Choctaw? A No.

Q Did your wife ever receive any? A No.

Q Did, Lena your first wife ever receive any? A No.

Q Did Dixon Billey ever receive any? A Don't know.

Q Did any of your ancestors, any of your wife's ancestors, any of your first wife's ancestors or any of Dixon Billey's ancestors ever receive any benefits as Choctaws? A Don't know.

Q Were any of your ancestors, any of your wife's ancestors, any of your first wife's ancestors or any of Dixon Billey's ancestors living in the old Choctaw Nation in Mississippi and Alabama in 1830 when the treaty of Dancing Rabbit Creek was made? A Don't know.

Q Were any of them recognized members of the Choctaw tribe of Indians at that time? A Don't know.

Q Did any of them remove from the old Choctaw Nation in Mississippi and Alabama to the present Choctaw Nation in the Indian Territory when the main body of the Choctaw tribe moved out there between the years 1833 and 1838? A Don't know.

Q Did any of them within six months after that treaty was ratified signify to the United States Indian Agent for the Choctaws here in Mississippi, their intention to remain in Mississippi and become citizens of the states? A Don't know.

Q Did any of your ancestors, any of your present wife's ancestors, any of your first wife's ancestors or any of Dixon Billey's ancestors ever claim or receive any land here in Mississippi under the provisions of the fourteenth article of the treaty of Dancing Rabbit Creek? A Don't know.

Q You never heard of any of them getting any land? A No.

Q Do you know the names of any of your grandparents? A No.

Q Do you know the names of any of your present wife's grandparents? A No.

Q Do you know the names of any of your first wife's grandparents? A No.

Q Do you know her father's and mother's names? A No.

Q Do you know the names of the father and mother of Dixon Billey? A No.

Q Do you know the names of any of Dixon Billey's grand parents? A No.

Q Are there any additional statements you desire to make at this time in support of your application? A No.

Q Have you any documentary evidence, affidavits, written testimony of any description, copies of records, deeds or patents, or any

Horace Pistubbee----4.

proper papers, showing that any of your ancestors, any of your first wife's ancestors, any of your present wife's ancestors, or any of Dixon Billey's ancestors were recognized members of the Choctaw tribe of Indians in 1830 when the treaty of Dancing Rabbit creek was made, or that any of them ever complied or attempted to comply with the provisions of the fourteenth article of the treaty or ever received any benefits thereunder? A No.

This applicant has every appearance and characteristic of a full blood Indian. He speaks the Choctaw language, but very little English, the examination having been conducted chiefly through a sworn Choctaw interpreter.

The decision of the Commission as to the application made by you at this time for the identification of yourself, your wife and five minor children as Mississippi Choctaws, will be determined at the earliest possible date and a report of the same made to the Secretary of the Interior conformable to the provisions of the twenty first section of the act of Congress of June 28, 1898, and a copy of the same will be mailed to you at your post office address as given in your testimony.

H.C.Risteen, having been first duly sworn, upon his oath states: That as stenographer to the Commission to the Five Civilized Tribes he reported in full all proceedings had in the above entitled cause on the 4th day of May, 1901, and that the above and foregoing is a full true and correct transcript of his stenographic notes of said proceedings on said date.

H.C. Risteen

Subscribed and sworn to before me at Meridian, Mississippi, this 16th day of May, 1901.

J. M. [Signature]

Notary Public.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

Cow
In the matter of the application of Horace Pis-tubbee,
et al., for identification as Mississippi Choctaws, M.C.R. 2040.

-----D E C I S I O N -----

It appears from the record herein that application for identification as Mississippi Choctaws was made to this Commission on May 4, 1901, by Horace Pis-tubbee for himself, his wife, Lena, his four minor children, Alice, Mattie, Selehah and Maggie Pis-tubbee, and his minor step-child, Fannie Billey, under the following provision of the Act of Congress approved June 28, 1898, (30 Stats. 495):

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto and make report to the Secretary of the Interior."

From the evidence submitted in support of said application it appears that all the applicants are full blood Mississippi Choctaw Indians.


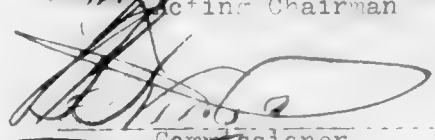

Section forty-one of the Act of Congress entitled "An Act

To ratify and confirm an agreement with the Choctaw and Chickasaw tribes of Indians, and for other purposes" approved July 1, 1902, (32 Stats. 641) and ratified by the Choctaw and Chickasaw Nations September 25, 1902, provides as follows:

"The application of no person for identification as a Mississippi Choctaw shall be received by said Commission after six months subsequent to the date of the final ratification of this agreement and in the disposition of such applications all full-blood Mississippi Choctaw Indians and the descendants of any Mississippi Choctaw Indians whether of full or mixed blood who received a patent to land under the said fourteenth article of the said treaty of eighteen hundred and thirty who had not moved to and made bona fide settlement in the Choctaw-Chickasaw country prior to June twenty-eighth, eighteen hundred and ninety-eight, shall be deemed to be Mississippi Choctaws entitled to benefits under article fourteen of the said treaty of September twenty-seventh, eighteen hundred and thirty, and to identification as such by said Commission, but this direction or provision shall be deemed to be only a rule of evidence and shall not be invoked by or operate to the advantage of any applicant who is not a Mississippi Choctaw of the full blood, or who is not the descendant of a Mississippi Choctaw who received a patent to land under said treaty, or who is otherwise barred from the right of citizenship in the Choctaw Nation, all of said Mississippi Choctaws so enrolled by said Commission shall be upon a separate roll."

It is, therefore, the opinion of this Commission that Horace Pis-tubbee, Lena Pis-tubbee, Alice Pis-tubbee, Mattie Pis-tubbee, Seleah Pis-tubbee, Maggie Pis-tubbee and Fannie Billey should be identified as Mississippi Choctaws, and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES


Acting Chairman

Commissioner

Commissioner

Muskogee, Indian Territory

MAY 14 1903

COPY.

M.C.R. 2040

Muskogee, Indian Territory, February 21, 1903.

Manafield, McMurray & Cornish,
Attorneys for the Choctaw and Chickasaw Nations,
South of Alaster, Indian Territory

Gentlemen:-

Enclosed herewith you will find a copy of the decision of the Commission rendered February 14, 1903, identifying Horace Pis-tubbee, his wife Lena Pis-tubbee, his minor children, Alice Pis-tubbee, Mattie Pis-tubbee, Seleah Pis-tubbee and Wagon Pis-tubbee and his minor step-child, Fannie Billey, as Mississippi Choctaws Indians under the provisions of the forty-first section of the act of Congress approved July 1, 1902 (32 Stats. 641).

You are hereby advised that you will be allowed fifteen days from the date hereof, in which to file with this Commission such protest as you desire to make against the action of the Commission in identifying the said Horace Pis-tubbee, his wife, children and step-child as Mississippi Choctaws, and make satisfactory proof of service of said protest upon the applicants herein.

If you fail to file such protest within the time allowed the names of the applicants herein will be placed upon the schedule of duly identified Mississippi Choctaws now being prepared by this Commission.

Respectfully,
RECEIVED

Registered
Enclosure G.H. 54

Tamm B. B. B.
Acting Chairman

COPY

M.C.R. 2040

Muskogee, Indian Territory, March 11, 1903.

Horace Pis-tubbee,
Tolen, Mississippi.

Dear Sir:

Enclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered February 14, 1903, identifying yourself, your wife, Lena Pis-tubbee, and your minor children Alice, Mattie, Sealeah and Maggie Pis-tubbee, and your minor step-daughter, Fannie Billey, as Mississippi Choctaw Indians under the provisions of section 41 of the act of Congress approved July 1, 1902 (32 Stats., 641).

If you remove to the Choctaw-Chickasaw country, Indian Territory, before August 14, 1903, you will have six months from that date or until February 14, 1904, within which to make proof of such removal and settlement at the office of the Commission at Atoka, Choctaw Nation, or Tishomingo, Chickasaw Nation.

Respectfully,

Jams Dixby.

Chairman.

Registered.

Enc. 2040.

No

For Identification as a Mississippi Choctaw.

Date MAY 4 1901

Name Horace Pistubbee

Age 40 Blood full

Post Office, Toles, Miss

Father: Pistubbee (dead)

Mother: Amy " L.

Claims through both parents
wife Lera Pistubbee (full) 32

Father: Liza Bell (dead)
(E-lan-tubbee)

Mother: don't know "
See Miss Choctaw's File No. 1378 testimony of
Children.

Alice Pistubbee (full) 10

Mattie " " 7

Fannie Billey " 7

Seleah Pistubbee (F) 4

Maggie " " 1

Mother Lona Pistubbee (dead)

Father: Dixon Billey (dead)

(Claims for himself, his wife, " & 5 minor children)

Stenographer

H. R. Risteen

A MISSISSIPPI

Horace P. Tubbee et al.

2040

IDENTIFIED

DECISION RENDERED

FILED

FOR

RECORD

FILED

COPY OF DECISION FORWARDED

APPLICANT

MAR 11 1903

10-2-1903

La. J. J.

2002-7

Choctaw MCR 2041

Harrison Wilkinson

MCR 2041

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.

The record herein is in the matter of the application
of Harrison Wilkinson, et al., for identification as Mississippi
Choctaws,

M. C. R. 2041

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

In the matter of the application of Harrison Wilkinson
et al., for identification as Mississippi Choctaws. M. C. R. 2041.

I N D E X

Original application of Harrison Wilkinson, et al for identification as Mississippi Choctaws,	Page 1
Decision of the Commission identifying Harrison Wilkinson, et al. as Mississippi Choctaws,	4

Department of the Interior,
Commission to the Five Civilized Tribes,
Philadelphia, Mississippi, May 4, 1901.

In the matter of the application of Harrison Wilkinson
for the identification of himself and wife as Mississippi Choctaws.

Harrison Wilkinson, having been first duly sworn, upon his
oath testified as follows:

Examination by the Commission.

- Q What is your name? A Harrison Wilkinson.
- Q What is your age? A About 77.
- Q What is your post office address? A Engine, Mississippi.
- Q How long have you lived in Mississippi? A All my life.
- Q Never lived anywhere else? A No.
- ✓ Q What is your father's name? A Ah-con-e-ubbee.
- Q Is he living? A Dead.
- ✓ Q Full blood? A Yes.
- ✓ Q What is your mother's name? A O-kish-mulle.
- ✓ Q Full blood? A Yes.
- Q Is she dead? A Yes.
- ✓ Q Are you a full blood? A Yes.
- Q You claim through your father and mother? A Yes.
- Q Have your parents, through whom you claim your right to identification as a Mississippi Choctaw, ever been recognized in any manner or enrolled as members of the Choctaw tribe of Indians, by the Choctaw tribal authorities or by the authorities of the United States? A No.
- ✓ Q Are you married? A Yes.
- ✓ Q What is her name? A Sallie.
- ✓ Q Full blood? A Yes.
- Q How old is she? A About 52.
- Q When were you married to her? A About 14 years ago.
- Q You make claim for your wife? A Yes.
- ✓ Q What is her father's name? A John Billy.
- ✓ Q Full blood? A Yes.
- Q Dead? A Yes.
- ✓ Q What is your wife's mother's name? A Martha.
- ✓ Q Full blood? A Yes.
- ✓ Q Does Sallie claim through both father and mother? A Yes.
- Q Have your wife's parents, through whom you claim for her the right to identification as a Mississippi Choctaw, ever been recognized in any manner or enrolled as members of the Choctaw tribe of Indians, by either the Choctaw tribal authorities, or the authorities of the United States? A No.
- Q Have you any children? A No.
- Q Were you married by the United States law, or the Choctaw custom? A Married by Indian Custom.
- Q Had no license? A No.
- Q Is your name, or the name of your wife, on any of the tribal rolls of the Choctaw Nation, in Indian Territory? A I went there, but didn't get my name on the roll.
- Q Have you ever ~~made~~ application for yourself or wife to the Choctaw tribal authorities in Indian Territory, to be enrolled as members

Harrison Wilkinson, et al., #2.

of the tribe? A No.

- Q Did you, or anyone for you, in 1896, make application for yourself or wife, to the Commission to the Five Civilized Tribes for citizenship in the Choctaw Nation, under the Act of Congress of June 10, 1896? A (No answer.)

The records of the Commission show that Harrison Wilkinson, this applicant, and his wife Sallie, and a child, West Wilkinson, applied to the Commission to the Five Civilized Tribes, under the Act of Congress of June 10, 1896; their names were included as plaintiffs in the case of Jack Amos, et al., vs Choctaw Nation, Commissioner's Number 5, Central District, Court Number 158; this application in their behalf was filed with the Commission September 10, 1896, praying for the admission to citizenship in the Choctaw Nation. The decision of the Commission was adverse to these parties, and their claim for citizenship was denied, and a judgment rendered in said case of Jack Amos et al., vs Choctaw Nation.

- Q Have you ever been admitted to citizenship in the Choctaw Nation, by either the Choctaw tribal authorities, the Commission to the Five Civilized Tribes, or by the United States Court for Indian Territory? A No.
- Q Have you ever made application before this time either to the Choctaw tribal authorities or to the authorities of the United States to be admitted or enrolled as a citizen of the Choctaw Nation? A I made application two years ago.

The records of the Commission show that on January 30, 1899, Wilkinson Jacobs, this applicant, who now gives his name as Harrison Wilkinson, appeared before the Commission at Philadelphia, Mississippi, and made application for the identification of himself and wife as Mississippi Choctaws. Their names appear upon Mississippi Choctaw card, Field Number 11, also, upon page 2 of the Schedule of Mississippi Choctaws, which accompanied the report of March 10, 1899, of the Commission to the Five Civilized Tribes to the Secretary of the Interior, as to the identity of Choctaw Indians, claiming rights in the Choctaw lands under the provisions of the Fourteenth Article of the Treaty of 1830, being Numbers 45 and 46.

- Q Is it now your purpose to make application for identification as a Mississippi Choctaw? A Yes.
- Q Do you claim your rights as a beneficiary under the provisions of the Fourteenth Article of the Treaty of Dancing Rabbit Creek? A Yes.
- Q Have you ever received any benefits as a Choctaw Indian? A No.
- Q Have any of your ancestors ever received any benefits as Choctaw Indians? A No.
- Q Do you know the name of your ancestor, or ancestors, who were residents of the old Choctaw Nation in Mississippi and Alabama and acknowledged members of the Choctaw tribe of Indians, in the year 1830, when the Treaty of Dancing Rabbit Creek was made? A I don't know.
- Q Did any of your ancestors, who were recognized members of the Tribe, remove from the territory occupied by the Choctaw tribe of

Harrison Wilkinson, et al., #3.

Indians in Mississippi and Alabama, to the present Choctaw Nation, in Indian Territory, at the time of the removal of the main part of the Choctaw tribe of Indians between the years 1833 and 1838?

A No.

Q Did any of your ancestors, or your wife's ancestors, within six months after the ratification of the Treaty of 1830, tell the United States Indian Agent then in Mississippi, that they preferred to stay in Mississippi and become citizens of the United States? A I don't know.

Q Have any of your ancestors, or any of your wife's ancestors, ever claimed or received any land in Mississippi as beneficiaries under Article fourteen of the Treaty of 1830? A No.

Q Are there any additional statements you desire to make in support of this application? A No.

Q Have you any documentary evidence, affidavits, written testimony of any description, copies of records, deeds or patents, or any other proper papers showing that any of your ancestors, or any of your wife's ancestors were, in the year 1830, when the Treaty of Dancing Rabbit Creek was made, recognized members of the Choctaw tribe of Indians, or that any of them ever complied or attempted to comply with the provisions of the Fourteenth article of the Treaty of 1830; or ever received any benefits under that article of that Treaty? A No.

(This applicant appears to be a full blood Choctaw Indian; he speaks the Choctaw language, and English very imperfectly.)

The decision of the Commission as to the application made by you at this time for the identification of yourself and wife as Mississippi Choctaws will be determined at the earliest possible date, and a report of same made to the Secretary of the Interior conformable to the provisions of the Twenty First Section of the Act of Congress of June 10, 1896, and a copy of the same will be mailed to you to your post office address as given in your testimony.

R.S. Streit, being first duly sworn, upon his oath states that as stenographer to the Commission to the Five Civilized Tribes, he reported in full all proceedings had in the above entitled cause on the 4th day of May, 1901, and that the above and foregoing is a full, true and correct translation of his stenographic notes of said proceedings upon said date.

Subscribed and sworn to before me at Meridian, Mississippi, this 31st day of May, 1901.

R.S. Streit
[Signature]
Notary Public.

(over)

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application of Harrison Wilkinson,
et al., for identification as Mississippi Choctaws. M.C.R. 2041.

DECISION.

It appears from the record herein that application for identification as Mississippi Choctaws was made to this Commission on May 4, 1901, by Harrison Wilkinson for himself and his wife, Sallie Wilkinson, under the following provision of the act of Congress approved June 28, 1898 (30 Stats., 495):

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto and make report to the Secretary of the Interior."

From the evidence submitted in support of said application it appears that both the applicants are full blood Mississippi Choctaw Indians.

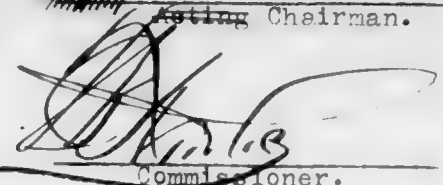
Section forty-one of the act of Congress entitled "An Act to ratify and confirm an agreement with the Choctaw and Chickasaw tribes of Indians, and for other purposes" approved July 1, 1902, (32 Stats., 641), and ratified by the Choctaw and Chickasaw Nations September 25, 1902, provides as follows:

"The application of no person for identification as a Mississippi Choctaw shall be received by said Commission after six months subsequent to the date of the final ratification of this agreement and in the disposition of such applications all full blood Mississippi Choctaw Indians and the descendants of any Mississippi Choctaw Indians whether of full or mixed blood who received a patent to land under the said fourteenth article of the said treaty of eighteen hundred and thirty who had not moved to and made bona fide settlement in the Choctaw-Chickasaw country prior to June twenty-eighth, eighteen hundred and ninety-eight, shall be deemed to be Mississippi Choctaws, entitled to benefits under article fourteen of the said treaty of September twenty-seventh, eighteen hundred and thirty, and to identification as such by said Commission, but this direction or provision shall be deemed to be only a rule of evidence and shall not be invoked by or operate to the advantage of any applicant who is not a Mississippi Choctaw of the full blood, or who is not the descendant of a Mississippi Choctaw who received a patent to land under said treaty, or who is otherwise barred from the right of citizenship in the Choctaw Nation all of said Mississippi Choctaws so enrolled by said Commission shall be upon a separate roll."

It is, therefore, the opinion of this Commission that Harrison Wilkinson and Sallie Wilkinson should be identified as Mississippi Choctaws, and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES


Acting Chairman.


Commissioner.


Commissioner.

Muskogee, Indian Territory

AUG 27 1906

COPY

M.C.R. 2041

Muskogee, Indian Territory, April 27, 1903.

Mansfield, McMurray & Cornish,

Attorneys for the Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:

Enclosed herewith you will find a copy of the decision of the Commission rendered April 27, 1903, identifying Harrison Wilkinson and wife Sallie Wilkinson as Mississippi Choctaw Indians under the provisions of the forty-first section of the act of Congress approved July 1, 1902, (32 Stats., 641)

You are hereby advised that you will be allowed fifteen days from the date hereof in which to file with this Commission such protest as you desire to make against the action of the Commission in identifying the said Harrison Wilkinson and his wife as Mississippi Choctaws, and make satisfactory proof of service of said protest upon the applicants herein.

If you fail to file such protest within the time allowed, the names of the applicants herein will be placed upon the schedule of duly identified Mississippi Choctaws now being prepared by this Commission.

Respectfully,

Tamm Kirby.

Chairman.

Registered.
Enc 2041.

M.C.R. 2041.

COPY.

Muskegee, Indian Territory, May 6, 1903.

Harrison Wilkinson,
Nogine, Mississippi.

Dear Sir:

Enclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered April 27, 1903, identifying yourself and your wife, Sallie Wilkinson, as Mississippi Choctaw Indians under the provisions of Section 41 of the Act of Congress approved July 1, 1902, (32 Stats., 641).

If you remove to the Choctaw-Chickasaw country, Indian Territory, before October 27, 1903, you will have six months from that date, or until April 27, 1904, within which to make proof of such removal and settlement at the office of the Commission at Atoka, Choctaw Nation, or Tishomingo, Chickasaw Nation.

Respectfully,

(S)

Tame Dixby.
Chairman.

Registered.

Enc. 2041.

M.C.R. 2041.

COPY.

Muskogee, Indian Territory, May 6, 1903.

Harrison Wilkinson,
Engle, Mississippi.

Dear Sir:

Enclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered April 27, 1903, identifying yourself and your wife, Sallie Wilkinson, as Mississippi Choctaw Indians under the provisions of Section 41 of the Act of Congress approved July 1, 1902, (32 Stats., 641).

If you remove to the Choctaw-Chickasaw country, Indian Territory, before October 27, 1903, you will have six months from that date, or until April 27, 1904, within which to make proof of such removal and settlement at the office of the Commission at Atoka, Choctaw Nation, or Tishomingo, Chickasaw Nation.

Respectfully,

SIGNED.

Tame Bixby.
Chairman.

Registered.

Enc. 2041.

For Identification as a Mississippi Choctaw.

Date May 4. 1901

Name Harrison Wilkinson

Age 27 Blood full

Post Office, Engine, Miss

Father: Aheonubbree f.b. d

Mother: Oshimulle f.b. d

Claims through both parents.

Wife, Sallie f.b. 52

Father of wife, John Billy f.b. d

Mother " " Martha " f.b. d

Children: Claims for self
and wife -

See M.C.C. Field No. 11

for self and wife.

Stenographer R. S. Streit

AS
MISSISSIPPI CROOKTAW

Harrison Wilkinson, et al

IDENTIFIED

DECISION RENDERED APR 21 1903

COPY OF DECISION
ATTORNEY
CHICKASAW

APR 27 1903

COPY OF DECISION

MAY

1903

Choctaw MCR 2042

Jim Johnson

MCR 2042

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.

The record herein is in the matter of the application of
Jim Johnson, et al., for identification as Mississippi Choctaws
W. C. R. 2042.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

In the matter of the application of Jim Johnson, et al.,
for identification as Mississippi Choctaws. W C R 2042.

I N D E X

Original application of Jim Johnson et al., for identification as Mississippi Choctaws,	Page 1
Decision of the Commission identifying Jim Johnson, et al., as Mississippi Choctaws,	4

20

Department of the Interior,
Commission to the Five Civilized Tribes,
Philadelphia, Mississippi, May 4, 1901.

In the matter of the application of Jim Johnson for the identification of himself, his wife and one minor child as Mississippi Choctaws.

Jim Johnson, being first duly sworn, upon his oath testified as follows:

Examination by the Commission.

- Q What is your name? A Jim Johnson.
- Q What is your age? A About 54.
- Q What is your post office address? A Toles, Mississippi.
- Q How long have you lived at Toles? A About nine years.
- Q Were you born in Mississippi? A Yes.
- Q Have you always lived in Mississippi? A Yes.
- Q Never lived out of the State? A No.
- Q What is your father's name? A John Johnson.
- Q Is he dead? A Yes.
- Q Full blood? A Yes.
- Q What is your mother's name? A Maria.
- Q Is she dead? A Yes.
- Q Full blood? A Yes.
- Q Are you full blood? A Yes.
- Q Do you claim through both parents? A Yes.
- Q Have your parents, through whom you claim the right to identification as a Mississippi Choctaw, ever been recognized in any manner or enrolled as members of the Choctaw tribe of Indians, by the Choctaw tribal authorities, or the authorities of the United States? A My father went to Territory, and my mother stayed here, but I don't know whether my father's name's on the roll.
- Q Are you married? A Yes.
- Q What is your wife's name? A Amie.
- Q Full blood? A Yes.
- Q How old is she? A About 52.
- Q Do you make application for her too? A Yes.
- Q What is her father's name? A John Wesley.
- Q Is he a full blood? A Yes.
- Q Is he dead? A Yes, dead long time.
- Q What is your wife's mother's name? A A-mi-ha-ti-ma.
- Q Was she full blood? A Yes.
- Q Is she dead? A Yes, dead.
- Q Your wife claims through both her father and mother? A Yes.
- Q Have either of your wife's parents, through whom you claim for her the right to identification as a Mississippi Choctaw, ever been recognized in any manner or enrolled as members of the Choctaw tribe of Indians, by the Choctaw tribal authorities, or by the authorities of the United States? A No.
- Q Have you any children? A Yes.
- Q How many? A One, Lotie.
- Q Is that a girl? A Yes.
- Q You had a child named Cola; is that child dead? A Yes. Died January 29, 1900.
- Q Is Amie the mother of Lotie? A Yes.
- Q You are the father? A Yes.
- Q The child is living with you? A Yes.
- Q Were you married by a minister with license, or under the Choctaw law? A Choctaw law.

Jim Johnson, et al., #2.

- Q Is your name, the name of your wife, Amie, or the name of your child, on any of the tribal rolls of the Choctaw Nation in Indian Territory? A No.
- Q Have you ever made application to the Choctaw tribal authorities in Indian Territory, to be enrolled as a member of that tribe? A No.
- Q Did you, or anyone for you, or your wife or child, in 1896, make application to the Commission to the Five Civilized Tribes for citizenship in the Choctaw Nation, under the Act of Congress of June 10, 1896? A No.
- Q Have you, or your wife, or your child, ever been admitted to citizenship in the Choctaw Nation by either the Choctaw tribal authorities, the Commission to the Five Civilized Tribes, or by the United States Court in Indian Territory? A No.
- Q Have you ever made application before this time to either the Choctaw tribal authorities, or to the authorities of the United States, for yourself, wife or child, to be enrolled or admitted as citizens of the Choctaw Nation? A Yes, I made application two years ago.

The records of the Commission show that on January 31st, 1899, this applicant appeared before the Commission at Philadelphia, Mississippi, and made application for the identification of himself, his wife and two minor children, Cola and Lotie, as Mississippi Choctaws; their names appear upon Mississippi Choctaw Card, Field Number 207, also upon page 61, of the Schedule of Mississippi Choctaws, which accompanied the report of March 10, 1899, of the Commission to the Five Civilized Tribes to the Secretary of the Interior, as to the identity of Choctaw Indians residing in Mississippi, claiming rights in the Choctaw lands under the provisions of the Fourteenth Article of the Treaty of 1830, being numbers 706, 707, 708 and 709, respectively, thereon.

- Q Is it now your purpose to make application for the identification of yourself, your wife and minor child as Mississippi Choctaws? A Yes.
- Q Do you claim your rights as beneficiaries under the provisions of the Fourteenth Article of the Treaty of 1830? A Yes.
- Q Have you or your wife ever received any benefits as Choctaw Indians? A No.
- Q Did any of your ancestors, or your wife's ancestors ever claim or receive any benefits as Choctaw Indians? A My grand father got some money in the Indian Territory.
- Q Do you know the name of your ancestors, or your wife's ancestors, who were residents of the old Choctaw Nation in Mississippi and Alabama, and acknowledged members of the Choctaw tribe of Indians in 1830, when the treaty of Dancing Rabbit Creek was entered into between the United States and the Choctaw tribe of Indians? A My grand father's name is Ya-ma-tubbee. He went to the Choctaw Nation with the other Indians over seventy years ago.
- Q Did any of the others go? A No, I don't know.
- Q Did this ancestor, or any of your ancestors, claim or receive any land under the Fourteenth Article of the Treaty of 1830? A No, he got some money; he didn't get no land.

Jim Johnson, et al., #3.

- Q He died in the Territory? A No, he come back and died here.
- Q Is there any additional statement you desire to make in regard to your application? A No.
- Q Have you any documentary evidence, affidavits, written testimony of any description, copies of records, deeds or patents, or any other proper papers showing that any of your ancestors, or any of your wife's ancestors were, in the year 1830, when the Treaty of Dancing Rabbit Creek was made, recognized members of the Choctaw tribe of Indians, or that any of them ever complied or attempted to comply with the provisions of the Fourteenth Article of the Treaty of 1830, or ever received any benefits under that Article of that Treaty? A No.

(This applicant has every appearance of a full blood Indian, having all the characteristics of the members of that tribe. He is a minister of the Gospel to his own people, administering to them and preaching in his native language. His examination was conducted in the English language, but his knowledge of the English is very imperfect.)

The decision of the Commission with reference to the application made by you at this time for the identification of yourself, your wife and minor child as Mississippi Choctaws, will be determined at the earliest possible date, and a report of the same made to the Secretary of the Interior, conformable to the provisions of the Twenty First Section of the Act of Congress of June 28, 1898, and a copy of the same will be mailed to you to your post office address, as given in your testimony.

R. S. Streit, having been first duly sworn, upon his oath states that as stenographer to the Commission to the Five Civilized Tribes, he reported in full all proceedings had in the above entitled cause on the 4th day of May, 1901, and that the above and foregoing is a full, true and correct translation of his stenographic notes of said proceedings upon said date.

Subscribed and sworn to before me this 31st day of May, 1901,
at Meridian, Mississippi.


Notary Public.

Cover

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application of Jim Johnson,
et al., for identification as Mississippi Choctaws ,M C R 2042.

D E C I S I O N .

It appears from the record herein that application for identification as Mississippi Choctaws was made to this Commission on May 4, 1901, by Jim Johnson for himself, his wife, Amie Johnson and his minor child, Lotie Johnson, under the following provision of the act of Congress approved June 28, 1898 (30 Stats., 495):

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto and make report to the Secretary of the Interior."

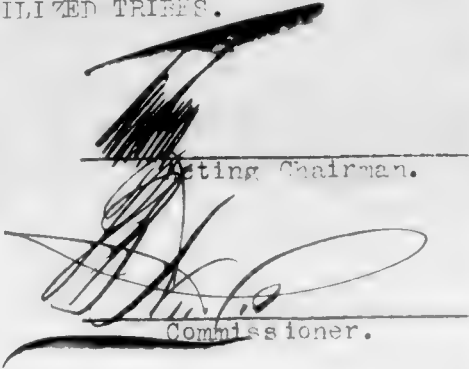
From the evidence submitted in support of said application it appears that all the applicants are full blood Mississippi Choctaw Indians.

Section forty-one of the act of Congress entitled "An Act to ratify and confirm an agreement with the Choctaw and Chickasaw tribes of Indians, and for other purposes" approved July 1, 1902, (32 Stats., 641) and ratified by the Choctaw and Chickasaw Nations September 25, 1902, provides as follows:

"The application of no person for identification as a Mississippi Choctaw shall be received by said Commission after six months subsequent to the date of the final ratification of this agreement and in the disposition of such applications all full blood Mississippi Choctaw Indians and the descendants of any Mississippi Choctaw Indians whether of full or mixed blood who received a patent to land under the said fourteenth article of the said treaty of eighteen hundred and thirty who had not moved to and made bona fide settlement in the Choctaw-Chickasaw country prior to June twenty-eighth, eighteen hundred and ninety-eight, shall be deemed to be Mississippi Choctaws, entitled to benefits under article fourteen of the said treaty of September twent,-seventh, eighteen hundred and thirty, and to identification as such by said Commission, but this direction or provision shall be deemed to be only a rule of evidence and shall not be invoked by or operate to the advantage of any applicant who is not a Mississippi Choctaw of the full blood, or who is not the descendant of a Mississippi Choctaw who received a patent to land under said treaty, or who is otherwise barred from the right of citizenship in the Choctaw Nation, all of said Mississippi Choctaws so enrolled by said Commission shall be upon a separate roll."

It is , therefore, the opinion of this Commission that Jim Johnson, Amie Johnson and Lotie Johnson should be identified as Mississippi Choctaws, and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.


Acting Chairman.

Commissioner.


Commissioner.

Wuskokee, Indian Territory

FEB 14 1903

Muskogee, Indian Territory, February 21, 1903.

Hansfield, McMurray & Cornish,

Attorneys for the Choctaw and Chickasaw Nations,
South McAlester, Indian Territory.

Gentlemen:

Enclosed herewith you will find a copy of the decision of the Commission rendered February 14, 1903, identifying Jim Johnson, his wife Amie Johnson, and minor child Lotie Johnson as Mississippi Choctaw Indians under the provisions of the forty-first section of the act of Congress approved July 1, 1902, (32 Stats., 641).

You are hereby advised that you will be allowed fifteen days from the date hereof, in which to file with this Commission such protest as you desire to make against the action of the Commission in identifying the said Jim Johnson, his wife and child as Mississippi Choctaws, and make satisfactory proof of service of said protest upon the applicants herein.

If you fail to file such protest within the time allowed, the names of the applicants herein will be placed upon the schedule of duly identified Mississippi Choctaws now being prepared by this Commission.

Respectfully,

Tamc Dixby.
Acting Chairman.

Registered.

Enc. MT. 61

COPY.

M.C.R. 2042

Muskogee, Indian Territory, March 11, 1903

Jim Johnson,

Toles, Mississippi.

Dear Sir:-

Enclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered February 14, 1903, identifying yourself, your wife Amie Johnson and your minor child, Lotie Johnson, as Mississippi Choctaw Indians under the provisions of section 41 of the act of Congress approved July 1, 1902 (32 Stats. 641).

If you remove to the Choctaw-Chickasaw country, Indian Territory, before August 14, 1903, you will have six months from that date, or until February 14, 1904, within which to make proof of such removal and settlement at the office of the Commission at Atoka, Choctaw Nation, or Tishomingo, Chickasaw Nation.

Respectfully,

Jame Bixby.

(SIGNED)

Chairman

Registered

Enclosure 2042

No

For Identification as a Mississippi Choctaw.

Date May 4, 1901

Name Jim Johnson

Age 54 Blood full

Post Office, Pales. Miss.

Father: John Johnson f.b. d

Mother: Maria " " " d

Claims through both parents.

wife, ^{Amie} ~~Amey~~ " f.b. 52.
 " father - John Wiley f.b. - d
 " mother - Amihatiema " d

See M.C. Card filed No. 207

Children.

Lotie. (girl) - 9

Claims for self, wife
 and child -

Stenographer R. A. Streit.

FOR IDENTIFICATION AS
A MISSISSIPPI CHOCTAW

Jim Johnson, et al.

DECISION

COPY

TO

CHIEF

COPY OF DECISION FORWARDED
APPLICANT

MAR 11 1903

7621/2 P. O. Looka v. J.

Choctaw MCR 2043

Putwood Billy

MCR 2043

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.

The record herein is in the matter of the application of
Putwood Billy, et al., for identification as Mississippi Choctaws,

M. C. R. 2043.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application of Putwood Billy, et al.,
for identification as Mississippi Choctaws, M C R 2043.

I N D E X

	Page
Original application of Putwood Billy, et al., for identification as Mississippi Choctaws,	1
Proof of birth of John Billy, infant son of Putwood Billy,	4
Decision of the Commission identifying Putwood Billy et al., as Mississippi Choctaws,	5

Department of the Interior,
Commission to the Five Civilized Tribes,
Philadelphia, Mississippi, May 4, 1901.

In the matter of the application of Putwood Billy, for the identification of himself and wife as Mississippi Choctaws.

Putwood Billy, having been first duly sworn, upon his oath testified as follows:

Examination by the Commission.

- Q What is your name? A Putwood Billy.
- Q What is your age? A 23.
- Q What is your post office address? A Cushtusa, Mississippi.
- ✓ Q What is your father's name? A John Billy.
- ✓ Q Full blood? A Yes.
- Q Dead? A No, living.
- ✓ Q What is your mother's name? A Elizabeth.
- ✓ Q Full blood? A Yes.
- Q Living? A No sir, died.
- ✓ Q You are a full blood? A Yes sir.
- ✓ Q You claim through both parents? A Yes.
- Q Have your parents, through whom you claim your right to identification as a Mississippi Choctaw, ever been recognized in any manner or enrolled as members of the Choctaw tribe of Indians by the Choctaw tribal authorities, or the authorities of the United States? A No.
- ✓ Q Are you married? A Yes sir.
- ✓ Q What is your wife's name? A Fannie.
- ✓ Q Do you make application for her? A Yes.
- ✓ Q Is she a full blood? A Yes.
- Q What is her age? A 21.
- ✓ Q When were you married? A Four years ago, last Christmas.
- ✓ Q What is her father's name? A Buckhorn Phillip.
- Q Is he living? A No sir.
- ✓ Q What is her mother's name? A Name is Lucy.
- Q Is she living? A Yes sir.
- ✓ Q Are they both full bloods? A Yes sir.
- ✓ Q You claim a full blood for your wife? A Yes sir.
- Q Have your wife's parents, through whom you claim for her the right to identification as a Mississippi Choctaw, ever been recognized in any manner or enrolled as members of the Choctaw tribe of Indians by the Choctaw tribal authorities, or by the authorities of the United States? A I don't know.
- Q Have you any children? A No sir.
- Q Were you married by an ordained minister, with a license, or were you married by the Choctaw law? A By license.
- Q Got the license from the Clerk down stairs? A Yes.
- Q Is your name, or the name of your wife, on any of the Choctaw tribal rolls in the Indian Territory? A No sir.
- Q Have you ever made application to the Choctaw tribal authorities in Indian Territory to be enrolled as a member of that tribe?
- A No.
- Q Did you, or anyone for you, or your wife, in the year 1896, make application to the Commission to the Five Civilized Tribes for citizenship in the Choctaw Nation, under the Act of Congress of June 10, 1896? A No sir.

Putwood Billy, et al., #2.

- Q Have you, or your wife, ever been admitted to citizenship in the Choctaw Nation, by either the Choctaw tribal authorities, the Commission to the Five Civilized Tribes, or by the United States Court in Indian Territory? A No sir.
- Q Have you ever made application before this time to either the Choctaw tribal authorities, or to the authorities of the United States to be admitted or enrolled as a citizen of the Choctaw Nation? A I did two years ago.

The records of the Commission show that on January 31, 1899, Putwood Billey appeared before the Commission at Philadelphia, Mississippi, and made application for the identification of himself and his wife, Fannie, as Mississippi Choctaws, their names appearing upon Mississippi Choctaw Card, Field Number 224; also, upon page 64 of the Schedule of Mississippi Choctaws, which accompanied the report of March 10, 1899, of the Commission to the Five Civilized Tribes, to the Secretary of the Interior, as to the identity of Choctaw Indians residing in Mississippi, claiming rights in the Choctaw lands under the provisions of the Fourteenth Article of the Treaty of 1830, being numbers 774 and 775, respectively, thereon.

- Q You now come before the Commission to be identified as a Mississippi Choctaw? A Yes sir
- Q You claim your rights as beneficiaries under the fourteenth article of the Treaty of 1830? A Yes.
- Q Have you or your wife ever received any benefits as Choctaw Indians? A No sir.
- Q Have any of your ancestors, or your wife's ancestors, ever received any benefits as Choctaw Indians? A I don't know.
- Q What is the name of your ancestors, or your wife's ancestors, who were residents of the old Choctaw Nation in Mississippi and Alabama, and acknowledged members of the Choctaw tribe of Indians in 1830, when the Treaty of Dancing Rabbit Creek was entered into between the United States and the Choctaw Indians? A I don't know.
- Q Did any of your ancestors, or any of your wife's ancestors remove from the Territory occupied by the Choctaw Nation in Mississippi and Alabama, to the present Choctaw Nation, in Indian Territory, at the time of the removal of the other members of the Choctaw tribe of Indians from 1833 to 1838? A I don't know.
- Q If they didn't go with the other members of the tribe, did any of them, within six months after the ratification of the Treaty of 1830, tell the United States Indian Agent of the Choctaws in Mississippi, that they intended to remain in Mississippi and become citizens of the United States? A I don't know.
- Q Did any of your ancestors ever claim or receive any land in Mississippi as beneficiaries under the fourteenth article of the treaty of 1830? A I don't know.
- Q Are there any additional statements you desire to make in support of this application? A No.
- Q Have you any documentary evidence, affidavits, written testimony of any description, copies of records, deeds or patents, or any other proper papers showing that any of your ancestors, or any of your wife's ancestors, were in the year 1830, when the Treaty of Dancing Rabbit Creek was made, recognized members of the

Putwood Billy, et al., #3.

Choctaw tribe of Indians, or that any of them ever complied or attempted to comply with the provisions of the Fourteenth Article of the Treaty of 1830, or ever received any benefits under that Article of that Treaty? A No.

(This applicant has the appearance and every characteristic of a full blood Choctaw Indian; he speaks the Choctaw language, and although his examination was conducted without an interpreter, he does not speak the English language fluently.)

The decision of the Commission as to the application made by you at this time for the identification of yourself and wife as Mississippi Choctaws, will be determined at the earliest possible date, and a report of same made to the Secretary of the Interior conformable to the provisions of the Twenty First Section of the Act of Congress of June 28, 1898, and a copy of the same will be mailed to you to your post office address as given in your testimony.

R. S. Streit, being first duly sworn, upon his oath states that as stenographer to the Commission to the Five Civilized Tribes, he reported in full all proceedings had in the above entitled cause on the 4th day of May, 1901, and that the above and foregoing is a full, true and correct translation of his stenographic notes of said proceedings upon said date.

R. S. Streit

Subscribed and sworn to before me at Meridian, Mississippi, this 31st day of May, 1901.

[Signature]
Notary Public.

FOR IDENTIFICATION AS
A MISSISSIPPI CHOCTAW.

IN RE
Identification
Application for Enrollment of

INFANT CHILD

John Bulley
as a citizen of

MISSISSIPPI CHOCTAW.

Nation.

Approved,

FOR IDENTIFICATION AS
A MISSISSIPPI CHOCTAW.

190

Commissioner.

See Miss Choctaw Card Filed No 2,24

The application herein is accepted by the Commission as evidence of the birth of this child, and not as an application for its enrollment as a citizen of the Choctaw Nation; and is to be filed with and made a part of the original application of its parents for identification as Mississippi Choctaws.


Acting Chairman.

Mississippi Choctaw ~~444~~
R 2043

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for ^{Identification} ~~Registration~~, as a citizen of the ~~State of~~ ^{INDIAN TERRITORY.} ~~CHOCOTAW,~~
of John Billy, born on the 11th day of September, 1901
(Here insert name of child)
Name of Father: Putwood Billy, a citizen of the ~~Nation.~~
Name of Mother: Fannie Billy, a citizen of the ~~Nation.~~
Post-office, Cushtuta, Miss.

AFFIDAVIT OF MOTHER:

UNITED STATES OF AMERICA, |

^{INDIAN TERRITORY.}
State of Mississippi, |
County of Neshoba, |

I, Fannie Billy, on oath state that I am 22
years of age and a citizen by Full Blood of the Choctaw Indian Nation;
that I am the lawful wife of Putwood Billy, who is a citizen by
Full Blood of the Choctaw Indian Nation; that a male child was
born to me on the 11th day of September 1901; that said child has been
named John Billy, and is now living.

WITNESSES TO MARK:

(Must be Two)
Witnesses

J. L. Long
Lethia Philip
mark

Fannie ^{her} Billy
mark

Subscribed and sworn to before me this 27 day of September 1901.

D. B. H. Crews, Justice of the Peace
NOTARY PUBLIC.

AFFIDAVIT OF ATTENDING ~~PHYSICIAN~~, ~~OR~~ MIDWIFE.

UNITED STATES OF AMERICA, |

^{INDIAN TERRITORY.}
State of Mississippi, |
County of Neshoba, |

I, Lucy Philip, a Midwife, on oath state that I
attended on Mrs. Fannie Billy, wife of Putwood Billy,
on the 11th day of September, 1901; that there was born to her on
said date a male child; that said child is now living and is said to have been
named John Billy.

WITNESSES TO MARK:

(Must be Two)
Witnesses

J. L. Long
Lethia ^{her} Philip
mark

Lucy ^{her} Philip
mark

Subscribed and sworn to before me this 27 day of September 1901.

D. B. H. Crews, Justice of the Peace
NOTARY PUBLIC.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.

Cow.

In the matter of the application of Putwood Billy, et al.,
for identification as Mississippi Choctaws, M C R 2043.

D E C I S I O N .

It appears from the record herein that application for identification as Mississippi Choctaws was made to this Commission on May 4, 1901, by Putwood Billy for himself and his wife, Fannie Billy, under the following provision of the act of Congress approved June 28, 1898 (30 Stats., 495):

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto and make report to the Secretary of the Interior."

It further appears from the record herein that since the date of the above application there has been born to the principal applicant and his wife, a child named John Billy.

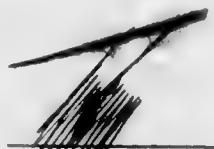
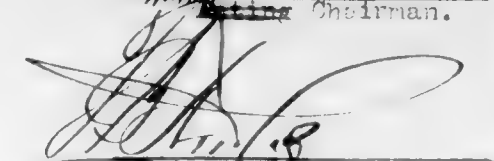
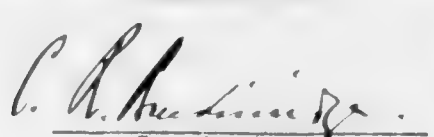
From the evidence submitted in support of said application it appears that all the applicants are full blood Mississippi Choctaw Indians.

Section forty-one of the act of Congress entitled "An Act to ratify and confirm an agreement with the Choctaw and Chickasaw tribes of Indians, and for other purposes" approved Jul. 1, 1902, (32 Stats., 641) and ratified by the Choctaw and Chickasaw Nations September 25, 1902, provides as follows:

"The application of no person for identification as a Mississippi Choctaw shall be received by said Commission after six months subsequent to the date of the final ratification of this agreement and in the disposition of such applications all full blood Mississippi Choctaw Indians and the descendants of any Mississippi Choctaw Indians whether of full or mixed blood who received a patent to land under the said fourteenth article of the said treaty of eighteen hundred and thirty who had not moved to and made bona fide settlement in the Choctaw-Chickasaw country prior to June twenty-eighth, eighteen hundred and ninety-eight, shall be deemed to be Mississippi Choctaws, entitled to benefits under article fourteen of the said treaty of September twenty-seventh, eighteen hundred and thirty, and to identification as such by said Commission, but this direction or provision shall be deemed to be only a rule of evidence and shall not be invoked by or operate to the advantage of any applicant who is not a Mississippi Choctaw of the full blood, or who is not the descendant of a Mississippi Choctaw who received a patent to land under said treaty, or who is otherwise barred from the right of citizenship in the Choctaw Nation, all of said Mississippi Choctaws so enrolled by said Commission shall be upon a separate roll."

It is, therefore, the opinion of this Commission that Putwood Billy, Fannie Billy and John Billy should be identified as Mississippi Choctaws, and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.


Chairman.

Commissioner.

Commissioner.

Muskogee, Indian Territory,
APR 2, 1903

COPY.

Muskogee, Indian Territory, April 27, 1903.

Mansfield, McMurray & Cornish,
Attorneys for the Choctaw and Chickasaw Nations,
South McAlester, Indian Territory.

Gentlemen:

Enclosed herewith you will find a copy of the decision of the Commission rendered April 27, 1903, identifying Putwood Billy, his wife Fannie Billy, and his minor child John Billy, as Mississippi Choctaw Indians under the provisions of the forty-first section of the act of Congress approved July 1, 1902 (32 Stats. 641).

You are hereby advised that you will be allowed fifteen days from the date hereof in which to file with this Commission such protest as you desire to make against the action of the Commission in identifying the said Putwood Billy, his wife and child as Mississippi Choctaws, and make satisfactory proof of service of said protest upon the applicants herein.

If you fail to file such protest within the time allowed the names of the applicants herein will be placed upon the schedule of duly identified Mississippi Choctaws now being prepared by this Commission.

Respectfully,

(SIGNED).

Tame Bixby.
Chairman.

Registered
Enclosure 2043.

M.C.R. 2043

COPY.

Muskogee, Indian Territory, May 3, 1903.

Putwood Billy,

Cushtusa, Mississippi.

Dear Sir:

Enclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered April 27, 1903, identifying yourself, your wife, Fannie Billy, and your minor child, John Billy as Mississippi Choctaw Indians under the provisions of Section 41 of the Act of Congress approved July 1, 1902, (32 Stats., 641).

If you remove to the Choctaw-Chickasaw country, Indian Territory, before October 27, 1903, you will have six months from that date, or until April 27, 1904, within which to make proof of such removal and settlement at the office of the Commission at Atoka, Choctaw Nation, or Tishomingo, Chickasaw Nation.

Respectfully,

(SIGNED)

Tams Bixby.
Chairman.

Registered.

En o. 2043

M C R 2043

Muskogee, Indian Territory, April 28, 1905.

Putwood Billy,
Bennington, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of the application for the enrollment of Dewet Billy as a citizen of the Choctaw Nation; said child being the infant son of Putwood and Fannie Billy, born November 11, 1903.

Respectfully,

Chairman.



No

For Identification as a Mississippi Choctaw.

Date May 4, 1901

Name Pitwood Billy

Age 23 - Blood full

Post Office, Cushtusa, Miss.

Father: John Billy f.b. l

Mother: Elizabeth .. f.b. d

Claims through both parents

wife Fannie f.b. - 21

" father - Buckingham Phillips d

" Mother - Lucy " l
both full blood~~Children.~~ Claims for self
and wife.

See M.C.C. Freed Menon, 924

Stenographer R. A. Street -

IFICATION AB
MISSISSIPPI CHOCTAW

Putwood Bill, et al

APR 27 1903

Choctaw MCR 2044

Williamson Phillip

MCR 2044

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

The record herein is in the matter of the application
of Williamson Phillip, et al. for identification as Mississippi
Choctaws,

M. C. R. 2044.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application of Williamson Phillip,
et al., for identification as Mississippi Choctaws. M. C. R. 2044.

I N D E X

Original application of Williamson Phillip et al., for identification as Mississippi Choctaws,	Page 1
Decision of the Commission identifying Williamson Phillip et al., as Mississippi Choctaws,	4

207

Department of the Interior,
Commission to the Five Civilized Tribes,
Philadelphia, Mississippi, May 4, 1901.

In the matter of the application of Williamson Phillip for the identification of himself, his wife, and five minor children as Mississippi Choctaws.

Williamson Phillip, being first duly sworn, upon his oath testified as follows:

Examination by the Commission.

- Q What is your name? A Williamson Phillip.
- Q What is your age? A 55.
- Q What is your post office address? A Cushtusa, Mississippi.
- Q How long have you lived at Cushtusa? A I lived there all my life.
- ✓ Q What is your father's name? A Simon Phillip.
- Q What is your father's Indian name? A Him-o-nubbee.
- ✓ Q Is your father a full blood? A Yes sir.
- Q Is he living? A No.
- ✓ Q What is your mother's name? A Nancy.
- ✓ Q Is she a full blood? A Yes.
- Q Is she dead? A Dead.
- ✓ Q Are you a full blood? A Yes.
- ✓ Q Claim through both parents? A Yes sir.
- Q Have your parents through whom you claim your right to identification as a Mississippi Choctaw, ever been recognized in any manner or enrolled as members of the Choctaw tribe of Indian by the Choctaw authorities, or by the authorities of the United States?
- A I don't know.
- Q Are you married? A Yes sir.
- ✓ Q What is your wife's name? A My wife's name Jinnie.
- Q You make application for her? A Yes sir.
- Q When were you married to her? A I married about thirty years.
- Q Were you married according to the Choctaw law? A Yes sir.
- Q What is your wife's age? A 55.
- ✓ Q What is her father's name? A John Ah-to-blechy.
- Q Is he dead? A Dead.
- ✓ Q What is the mother's name? A I don't know.
- ✓ Q Is she a full blood? A Yes.
- Q Have your wife parents, through whom you claim for her the right to identification as a Mississippi Choctaw, ever been recognized in any manner or enrolled as members of the Choctaw tribe of Indians, either by the Choctaw tribal authorities or the authorities of the United States? A No sir.
- Q Are there any children in your family under twenty one years of age and unmarried for whom you desire to make application?
- A Yes, five.
- Q What are their names and ages? A Leanna, 20; Sina, 14; Albert 16; Dibin 8, and Bob 5.
- ✓ Q Is Jinnie Phillip the mother of these children? A Yes.
- ✓ Q They are full bloods? A Yes.
- Q Is your name or your wife's name, or any of your children's names on any of the tribal rolls of the Choctaw Nation in Indian Territory? A No sir.
- Q Have you ever made application to the Choctaw tribal authorities in Indian Territory for your names to be put on the rolls? A No sir.

Williamson Phillip, et al., #2.

- Q Did you, or any one for you, or for your wife and children, in 1896, make application to the Commission to the Five Civilized Tribes for citizenship in the Choctaw Nation under the Act of Congress of June 10, 1896? A No sir.
- Q Have you or your wife or children ever been admitted to citizenship in the Choctaw Nation, by either the Choctaw tribal authorities, the Commission to the Five Civilized Tribes, or by the United States Court in Indian Territory? A No sir.
- Q Have you ever made application before this time for yourself, your wife, and your children, to be enrolled? A Yes sir, two years ago.

The records of the Commission show that on January 31, 1899, this applicant appeared before the Commission at Philadelphia, Mississippi, and made application for the identification of himself, his wife, Jimmie, and minor children as Mississippi Choctaws, their names appearing upon Mississippi Choctaw card, Field Number, 185; also, upon page 59 of the Schedule of Mississippi Choctaws, which accompanied the report of March 10, 1899, of the Commission to the Five Civilized Tribes to the Secretary of the Interior, as to the identity of Choctaw Indians, residing in Mississippi, claiming rights in the Choctaw lands under the provisions of the Fourteenth Article of the Treaty of Dancing Rabbit Creek, being Numbers 638, 639, 640, 642, 643, 644 and 645, respectively thereon.

- Q Except the application you made two years ago, this is the first application you have made? A Yes.
- Q Is it now your purpose to make application for identification as Mississippi Choctaws for yourself, your wife and your children? A Yes sir.
- Q Do you claim your rights as beneficiaries under the 14th article of the Treaty of 1830? A Yes.
- Q Have you ever received any benefits as a Choctaw Indian? A No sir.
- Q Have any of your people, or your ancestors, ever received any benefits as Choctaw Indians? A No sir.
- Q Do you know the name of your ancestor, or any cestors, who were residents of the old Choctaw Nation in Mississippi and Alabama in 1830? A I don't know.
- Q Do you know whether any of your grand parents went from Mississippi or Alabama to the Indian Territory between the years 1833 and 1838? A I don't know.
- Q Do you know whether any of your grand parents went to the United States Indian Agent in Mississippi, within six months after the ratification of the Treaty of 1830, and told him they would rather stay in Mississippi and not go to the Territory, and that they wanted land here? A I don't know.
- Q Have any of your ancestors ever claimed or received any land in Mississippi under Article Fourteen of the Treaty of 1830? A I don't know.
- Q Are there any additional statements you want to make in support of your application? A No.
- Q Have you any documentary evidence, affidavits, written testimony of any description, copies of records, deeds or patents, or any other proper papers showing that your ancestors were in the year 1830, when the treaty of Dancing Rabbit Creek was entered into, recognized members of the Choctaw tribe of Indians, or that any of them ever complied or attempted to comply with the provisions of the 14th article of the treaty of 1830, or ever received any benefits under that article of that treaty? A No.

Williamson Phillip, et al., #3.

(This applicant appears to be a full blood Choctaw Indian; he has all the characteristics of a member of that tribe. He speaks the Choctaw language. He speaks the English language, his examination having been carried on without an interpreter, but his knowledge of the English language is limited.)

The decision of the Commission as to the application made by you for the identification of yourself, your wife and minor children will be determined at the earliest possible date, and a report of the same made to the Secretary of the Interior conformable to the provisions of the Twenty First Section of the Act of Congress of June 28, 1898, and a copy of the same will be mailed to you to your post office address as given in your testimony.

R. S. Streit, being first duly sworn, upon his oath states that as stenographer to the Commission to the Five Civilized Tribes, he reported in full all proceedings had in the above entitled cause on the 4th day of May, 1901, and that the above and foregoing is a full, true and correct translation of his stenographic notes of said proceedings upon said date.

Subscribed and sworn to before me at Meridian, Mississippi, this 3rd day of June 1901.

R. S. Streit
[Signature]
Notary Public.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.

Case In the matter of the application of Williamson Phillip, et al.,
for identification as Mississippi Choctaws.

M. C. R. 2044.

D E C I S I O N .

It appears from the record herein that application for identification as Mississippi Choctaws was made to this Commission on May 4, 1901, by Williamson Phillip for himself, his wife, Jinnie Phillip and his five minor children, Leanna, Sina, Albert, Dibil and Bob Phillip, under the following provision of the act of Congress approved June 28, 1898 (30 Stats., 495):

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto and make report to the Secretary of the Interior."

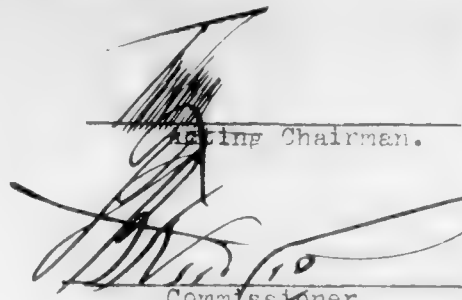
From the evidence submitted in support of said application it appears that all the applicants are full blood Mississippi Choctaw Indians.

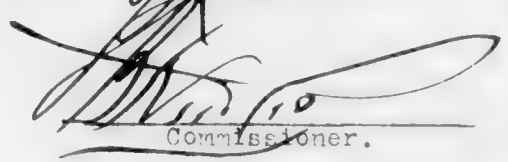
Section forty-one of the act of Congress entitled "An Act to ratify and confirm an agreement with the Choctaw and Chickasaw tribes of Indians, and for other purposes" approved July 1, 1902, (32 Stats., 641) and ratified by the Choctaw and Chickasaw Nations September 25, 1902, provides as follows:

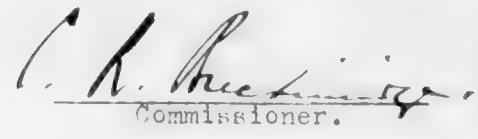
"The application of no person for identification as a Mississippi Choctaw shall be received by said Commission after six months subsequent to the date of the final ratification of this agreement and in the disposition of such applications all full blood Mississippi Choctaw Indians and the descendants of any Mississippi Choctaw Indians whether of full or mixed blood who received a patent to land under the said fourteenth article of the said treaty of eighteen hundred and thirty who had not moved to and made bona fide settlement in the Choctaw-Chickasaw country prior to June twenty-eighth, eighteen hundred and ninety-eight, shall be deemed to be Mississippi Choctaws, entitled to benefits under article fourteen of the said treaty of September twenty-seventh, eighteen hundred and thirty, and to identification as such by said Commission, but this direction or provision shall be deemed to be only a rule of evidence and shall not be invoked by or operate to the advantage of any applicant who is not a Mississippi Choctaw of the full blood, or who is not the descendant of a Mississippi Choctaw who received a patent to land under said treaty, or who is otherwise barred from the right of citizenship in the Choctaw Nation, all of said Mississippi Choctaws so enrolled by said Commission shall be upon a separate roll."

It is, therefore, the opinion of this Commission that Williamson Phillip, Jinnie Phillip, Leanna Phillip, Sina Phillip, Albert Phillip, Dibin Phillip and Rob Phillip should be identified as Mississippi Choctaws, and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.


Acting Chairman.


Commissioner.


Commissioner.

Muskogee, Indian Territory,

JUL 8 1903



M.C.R. 2044.

COPY.

Muskogee, Indian Territory, July 8, 1903.

Williamson Phillip,
Cushtusa, Mississippi.

Dear Sir:

Enclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered July 8, 1903, identifying yourself, your wife, Jinnie Phillip, and your minor children, Leanna Phillip, Sina Phillip, Albert Phillip, Dibia Phillip and Bob Phillip as Mississippi Choctaw Indians under the provisions of Section 41 of the Act of Congress approved July 1, 1902, (32 Stats., 641).

If you remove to the Choctaw-Chickasaw country, Indian Territory, before January 8, 1904, you will have six months from that date or until July 8, 1904, within which to make proof of such removal and settlement at the office of the Commission at Atoka, Choctaw Nation or Tishomingo, Chickasaw Nation.

Respectfully,

(SIGNED)

T. B. Needles.

Commissioner in Charge.

Registered.

Enc. 2044.

COPY.

Muskogee, Indian Territory, July 8, 1903.

Mansfield, McMurray & Cornish,
Attorneys for the Choctaw and Chickasaw Nations,
South McAlester, Indian Territory.

Gentlemen:

Enclosed herewith you will find a copy of the decision of the Commission rendered July 8, 1903, identifying Williamson Phillip, his wife, Jennie Phillip and minor children, Leanna Phillip, Sina Phillip, Albert Phillip, Dabin Phillip and Bob Phillip as Mississippi Choctaw Indians under the provisions of the forty-first section of the act of Congress approved July 1, 1902, (32 Stats., 641).

You are hereby advised that you will be allowed fifteen days from the date hereof, in which to file with this Commission such protest as you desire to make against the action of the Commission in identifying the said Williamson Phillip, his wife and children as Mississippi Choctaws and make satisfactory proof of service of said protest upon the applicants herein.

If you fail to file such protest within the time allowed, the names of the applicants herein will be placed upon the schedule of duly identified Mississippi Choctaws now being prepared by this Commission.

Respectfully,

(SIGNED)

T. B. Needles.

Commissioner in Charge.

Registered.
Enc. 2044.

For Identification as a Mississippi Choctaw.

Date May 4, 1901

Name Williamson Phillip

Age 55 Blood full

Post Office, Cushtusa, Miss.

Father: Simon Phillip f.b. d

Mother: Nancy " f.b. d

Claims through both parents -

wife

Jimmie Phillip f.b. 55
 father - John Ahlbleichy. d
 mother - don't know
 (both full blood)

Children.

Leanna	_____	20
Sina	_____	14 18
Albert	_____	16
Sam Vibon	_____	8
Bob	_____	5

Claims for himself
 wife and children

See M.C. Card filed No.

See M.C. files No. 185.

Stenographer A. A. Streit.

FOR IDENTIFICATION

A MISSISSIPPI TOWNSHIP

R. 2044

Williamson Phillip et al.

Choctaw MCR 2045

Mack Phillip

MCR 2045

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.

The record herein is in the matter of the application of
Mack Phillip, et al., for identification as Mississippi Choctaws.

M : C. R. 2045.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application of Mack Phillip,
et al., for identification as Mississippi Choctaws, W C R 2045.

I N D E X

	Page
Original application of Mack Phillip et al for identification as Mississippi Choctaws,	1
Decision of the Commission identifying Mack Phillip, et al. as Mississippi Choctaws,	4

2045

Department of the Interior,
Commission to the Five Civilized Tribes,
Philadelphia, Mississippi, May 4, 1901.

In the matter of the application of Mack Phillip, for the identification of himself, his wife and two minor children as Mississippi Choctaws.

Mack Phillip, being first duly sworn, upon his oath states as follows:

Examination by the Commission.

- Q What is your name? A Mack Phillip.
Q What is your age? A 25 years old.
Q What is your post office address? A Ennis, Mississippi.
Q What is your father's name? A Williamson Phillip.
Q Is he living? A Yes sir.
Q Full blood Choctaw? A Yes sir.
Q What is your mother's name? A Jinnie Phillip.
Q Is she a full blood Choctaw? A Yes sir.
Q Living? A Yes sir.
Q Are you a full blood? A Yes sir.
Q Claim through both parents? A Yes sir.
Q Have your parents through whom you claim your right to identification as a Mississippi Choctaw, ever been recognized in any manner or enrolled as members of the Choctaw tribe of Indians by the Choctaw tribal authorities or the authorities of the United States? A No sir.
Q Are you married? A Yes sir.
Q What is your wife's name? A Sallie Phillip.
Q Full blood? A Yes sir.
Q How old is she? A 23 years old.
Q You make application for Sallie? A Yes sir.
Q When were you married to her? A Little over four years.
Q Were you married according to the Choctaw law, or under a license? A License.
Q What is your wife's father's name? A Jesse Porter.
Q Is he a full blood? A Yes sir.
Q Is he living? A Yes sir.
Q What is your wife's mother's name? A Betsie Porter.
Q Full blood? A Yes sir.
Q You claim full blood for your wife? A Yes sir.
Q She claims through both her parents? A Yes sir.
Q Have your wife's parents, through whom you claim for her the right to identification as a Mississippi Choctaw, ever been recognized in any manner or enrolled as members of the Choctaw tribe of Indians, by the Choctaw tribal authorities or the authorities of the United States? A No sir.
Q Are there any children in your family under twenty one years of age, and unmarried? A Yes sir.
Q How many? A Two.
Q What is the name of the oldest? A Arlena Phillip.
Q How old is Arlena? A Little over two years old.
Q What is the name of the other one? A Mary Phillip.
Q How old is Mary? A Eight months.
Q Is Sallie the mother of Arlena and Mary? A Yes sir.
Q You are the father? A Yes sir.
Q The children are living with you at your home? A Yes sir.
Q Is your name or the name of your wife or children on any of the tribal rolls of the Choctaw Nation in Indian Territory? A No sir.

Mack Phillip, et al., #2.

- Q Have you ever made application to the Choctaw authorities for yourself, your wife and children, to be enrolled as members of the Choctaw tribe? A No sir.
- Q Did you, or any one for you, or for your wife or children, in 1896 make application to the Commission to the Five Civilized Tribes for citizenship in the Choctaw Nation? A No sir.
- Q Neither you nor your wife have ever been admitted to citizenship have you? A No sir.
- Q Have you ever made application before this for your wife or children to either the Choctaw tribal authorities or to the authorities of the United States to be enrolled as citizens of the Choctaw Nation? A Yes sir.

The records of the Commission show that on January 31, 1899, this applicant appeared before the Commission at Philadelphia, Mississippi and made application for the identification of himself, his wife Sallie, and one minor child, Ilena, whose name this applicant now gives as Arlena, as Mississippi Choctaws; their names appearing upon Mississippi Choctaw Card, Field Number 154; also, upon page 54 of the Schedule which accompanied the report of March 10, 1899, of the Commission to the Five Civilized Tribes to the Secretary of the Interior, as to the identity of Choctaw Indians residing in Mississippi, claiming rights in the Choctaw lands under the provisions of the Fourteenth Article of the Treaty of Dancing Rabbit Creek, being numbers 531, 532 and 533, respectively, thereon.

- Q Except two years ago, is this the first application you have made to the Commission to the Five Civilized Tribes? A Yes sir.
- Q You now appear to make application for the identification of yourself, wife and children as Mississippi Choctaws? A Yes sir.
- Q Do you claim this right on the 14th article of the Treaty of 1830? A Yes sir.
- Q Have you ever received any benefits as a Choctaw Indian? A No sir. ancestors
- Q Have you ever received any benefits as Choctaw Indians? A I don't know.
- Q Do you know the name of your ancestors, who were residents of the old Choctaw Nation in Mississippi and Alabama, in 1830, when the Treaty of Dancing Rabbit Creek was entered into between the United States and the Choctaw tribe of Indians? A I know my grand father.
- Q What was his name? A Simon Phillip.
- Q Did he ever receive any land or money from the Government? A No sir.
- Q Was he a recognized member of the Choctaw tribe of Indians in 1830, when the Treaty of Dancing Rabbit Creek was entered into between the United States and the Choctaw Indians? A I don't know sir.
- Q Did he, or any of your ancestors, remove from Mississippi or Alabama with the other Indians and go to the Territory between the years 1833 and 1838? A No sir.
- Q Did any of your ancestors, within six months after the ratification of the Treaty of Dancing Rabbit Creek, go to the United States Indian Agent and tell him that they wanted to stay in Mississippi and not go to the Territory? A No sir.
- Q Have any of your ancestors ever claimed or received any land as beneficiaries under Article Fourteen of the Treaty of 1830? A No sir.

Mack Phillip, et al., #3.

- Q Are there any additional statements you want to make in support of this application? A No sir.
- Q Have you any documentary evidence, affidavits, written testimony of any description, copies of records, deeds or patents, or any other proper papers showing that any of your ancestors, were in the year 1830, when the Treaty of Dancing Rabbit Creek was made, recognized members of the Choctaw tribe of Indians, or that any of them ever complied or attempted to comply with the provisions of the Fourteenth Article of the Treaty of 1830, or ever received any benefits under that article of that treaty? A No.
- Q Has your wife any papers of that kind? A No.
- Q Have any of her ancestors ever claimed or received any land in Mississippi under Article Fourteen of the Treaty of 1830? A No sir.

(This applicant has the appearance and all the characteristics of a full blood Choctaw Indian. He speaks the Choctaw language. Although his examination was carried on in the English language, his knowledge of English is limited, however, his understanding of it was sufficient for an intelligent examination without any interpreter.)

The decision of the Commission as to the application made by you for the identification of yourself, your wife and minor children as Mississippi Choctaws will be determined at the earliest possible date, and a report of same made to the Secretary of the Interior conformable to the provisions of the Twenty First Section of the Act of Congress of June 28, 1898, and a copy of the same will be mailed to your post office address as given in your testimony.

R. S. Streit, being first duly sworn, upon his oath states that as stenographer to the Commission to the Five Civilized Tribes, he reported in full all proceedings had in the above entitled cause on the Fourth day of May, 1901, and that the above and foregoing is a full, true and correct translation of his stenographic notes of said proceedings upon said date.

R. S. Streit

Subscribed and sworn to before me at Meridian, Mississippi, this 3rd day of June 1901.

[Signature]
Notary Public.

W. W.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application of Mack Phillip, et al.,
for identification as Mississippi Choctaws. M. C. R. 2045.

D E C I S I O N .

It appears from the record herein that application for identification as Mississippi Choctaws was made to this Commission on May 4, 1902, by Mack Phillip for himself, his wife, Sallie Phillip and his two minor children, Arlena Phillip and Mary Phillip, under the following provision of the act of Congress approved June 28, 1898 (30 Stats., 495):

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto and make report to the Secretary of the Interior."

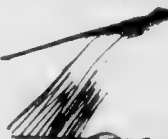
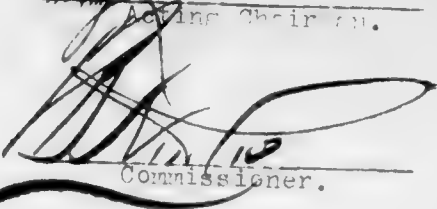

From the evidence submitted in support of said application it appears that all the applicants are full blood Mississippi Choctaw Indians.

Section forty-one of the act of Congress entitled "An Act to ratify and confirm an agreement with the Choctaw and Chickasaw tribes of Indians, and for other purposes" approved July 1, 1902, (32 Stats., 641) and ratified by the Choctaw and Chickasaw Nations September 25, 1902, provides as follows:

"The application of no person for identification as a Mississippi Choctaw shall be received by said Commission after six months subsequent to the date of the final ratification of this agreement and in the disposition of such applications all full blood Mississippi Choctaw Indians and the descendants of any Mississippi Choctaw Indians whether of full or mixed blood who received a patent to land under the said fourteenth article of the said treaty of eighteen hundred and thirty who had not moved to and made bona fide settlement in the Choctaw-Chickasaw country prior to June twenty-eighth, eighteen hundred and ninety-eight, shall be deemed to be Mississippi Choctaws, entitled to benefits under article fourteen of the said treaty of September twenty-seventh, eighteen hundred and thirty, and to identification as such by said Commission, but this direction or provision shall be deemed to be only a rule of evidence and shall not be invoked by or operate to the advantage of any applicant who is not a Mississippi Choctaw of the full blood, or who is not the descendant of a Mississippi Choctaw who received a patent to land under said treaty, or who is otherwise barred from the right of citizenship in the Choctaw Nation, all of said Mississippi Choctaws so enrolled by said Commission shall be upon a separate roll."

It is, therefore, the opinion of this Commission that Mack Phillip, Sallie Phillip, Arlene Phillip and Mary Phillip should be identified as Mississippi Choctaws, and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.


Acting Chairman.

Commissioner.

Commissioner.

Muskogee, Indian Territory

FEB 14 1903

Ardmore, I. T. February 17, 1903.

To the Commission to the Five Civilized Tribes,

Muskogee, Indian Territory.

You will please deliver to J. G. Ralls, of Atoka, Indian Territory, any copies of records in my case that, under the rule of law, the Commission may give out to Attorneys, as I have employed him to assist me in this case.

WITNESSES TO MARK:

H. W. Pickett

Mack x Philipps
mark

Mack Philipps also applied for
his wife Sallie, and three children
Lena, Mary and Joe.

COPY.

M.C.R. 2045

Muskogee, Indian Territory, February 21, 1903.

Manafield, McMurray & Cornish,

Attorneys for the Choctaw and Chickasaw Nations,
South McAlester, Indian Territory.

Gentlemen:-

Enclosed herewith you will find a copy of the decision of the Commission rendered February 14, 1903, identifying Mack Phillip, his wife Sallie Phillip, and his minor children, Arlena Phillip and Mary Phillip as Mississippi Choctaw Indians under the provisions of the forty-first section of the act of Congress approved July 1, 1902 (32 Stats. 641).

You are hereby advised that you will be allowed fifteen days from the date hereof in which to file with this Commission such protest as you desire to make against the action of the Commission in identifying the said Mack Phillip, his wife and children as Mississippi Choctaws, and make satisfactory proof of service of said protest upon the applicants herein.

If you fail to file such protest within the time allowed, the names of the applicants herein will be placed upon the schedule of duly identified Mississippi Choctaws now being prepared by this Commission.

Respectfully,

(SIGNED) *Tamc Dixby*

Registered
Enclosure M.C.R. 2045

Acting Chairman

COPY.

M.C.R. 2045

Muskogee, Indian Territory, March 11, 1903.

Mack Phillip.

Ennis, Mississippi.

*Re-rtailed to Ardmore, OK,
Apr 4-03.*

Dear Sir:

Enclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered February 14, 1903, identifying yourself, your wife Sallie Phillip, and your minor children, Arlena and Mary Phillip, as Mississippi Choctaw Indians under the provisions of section 41 of the act of Congress approved July 1, 1902 (32 Stats., 641).

If you remove to the Choctaw-Chickasaw country, Indian Territory, before August 14, 1903, you will have six months from that date, or until February 14, 1904, within which to make proof of such removal and settlement at the office of the Commission at Atoka, Choctaw Nation, or Tishomingo, Chickasaw Nation.

Respectfully,

UNED.

UNED.

Tama Doby.

Chairman.

Registered

Enclosure 2045

Muskogee, Indian Territory, April 2, 1903.

J. G. Ralls,
Attorney at Law,
Atoka, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 21st ultimo, enclosing the affidavit of the mother, Sallie Philipps, and that of the midwife, Betsey Porter, to the birth of Mary Philipps, infant child of Mack and Sallie Phillips, August 25, 1901; also the affidavit of the mother, Sallie Phillips, and that of the midwife, Betsey Porter, to the birth of Joe Phillips, infant child of Mack and Sallie Phillips, October 7, 1902. The affidavits to the birth of Joe Phillips have been filed with the records of the Commission.

The affidavits of the mother and midwife to the birth of Mary Phillips are herewith returned you for the reason that it appears from the records of the Commission that at the time Mack Phillips applied to this Commission for the identification of himself and family as Mississippi Choctaws he made application for a minor daughter, Mary Phillips, eight months of age. Said application was submitted on May 4, 1901. It is believed that the Mary

J G R 2

Phillips named in the application of Mack Phillips is identical with the Mary Phillips named in the affidavits herewith returned you.

Respectfully,

Chairman.

McM 224

M C R
2365-2045-1633
2536-2727-2648

Muskogee, Indian Territory, April 4, 1903.

J. B. Warren, P. M.,

Ennis, Mississippi.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 26th ultimo, returning registered letters addressed to the following:

Charley Willis	Mack Phillip
Tom Davis	Ben Thompson
Tom Philip	Salina Reese.

You state that the present post office addresses of these persons are Ardmore and Kiowa, Indian Territory. Said letters have been mailed to these addresses.

Respectfully,

Commissioner in Charge.

M C R 2045

Muskogee, Indian Territory, August 4, 1903.

Mack Philipps,

Post Office Box 317,

Ardmore, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of July 23, 1903, in which you ask if the application for the identification of your infant child, Joe Philipps, as a Mississippi Choctaw, has been passed upon by the Commission.

In reply you are informed that the Commission has not up to the present time rendered any decision relative to the right of this child to such identification. As soon as a decision is rendered you will be duly notified of the action of the Commission.

Respectfully,

Commissioner in Charge.

M C R 2045

Muskogee, Indian Territory, September 11, 1903.

Mack Phillip,

Ardmore, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 4th instant, wherein you ask "What has been done in regard to my minor child Joe Phillip? When will he be on the roll?"

In reply you are informed that the Commission has not up to the present time rendered any decision relative to the right of Joe Phillip to be identified as a Mississippi Choctaw. As soon as a decision is rendered you will be duly notified thereof.

Respectfully,

Chairman.

M C R 2045

Muskogee, Indian Territory, February 27, 1904.

Thos. Norman,

Ardmore, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 23rd instant, asking what disposition has been made by the Commission with the application for the identification of Joe Phillip, infant son of Mack and Sallie Phillip, which application you state was forwarded the Commission about March 19, 1903.

In reply you are informed that it appears from said application that Joe Phillip was born October 7, 1902, and your attention is invited to the following section of the Act of Congress approved July 1, 1902, which was ratified by the citizens of the Choctaw and Chickasaw Nations September 25, 1902:

"The names of all persons living on the date of the final ratification of this agreement entitled to be enrolled as provided in section 27 hereof shall be placed upon the rolls made by said Commission; and no child born thereafter to a citizen or freedman and no person intermarried thereafter to a citizen shall be entitled to enrollment or to participate in the distribution of the tribal property of the Choctaws and Chickasaws."

Respectfully,

Commissioner in Charge.

Muskogee, Indian Territory, February 27, 1904.

Thomas Norman,

Ardmore, Indian Territory.

Dear Sir:

The Commission is recently in receipt of a number of letters from Ardmore, Indian Territory, presumably signed by you, inquiring relative to the status of persons applicants to this Commission for identification as Mississippi Choctaws.

One of these letters, in which inquiry is made as to the application of Joe Phillip as a Mississippi Choctaw, is enclosed you herewith, and the Commission desires to be advised if you are the author of this letter or if you have authorized any other person to sign letters of this character for you.

Please return the letter with your reply.

Respectfully,

Commissioner in Charge.

McM 2/27

C O P Y

THOS. NORMAN,
Attorney at Law,

Notary in Office.

105 1/2 West Main Street.

Ardmore, I.T. March 1st, 1904.

The Commission to the Five Civilized Tribes,

Muskogee, I. T.

Gentlemen,

In reply to your letter of the 27th Ultimo. inquiring as to the authenticity of the letter herein enclosed, permit me to say that, whilst I did not sign the letter myself, yet it was prepared signed under my direction. As to the others, I cannot make answer except in this way, as I do not know what the contents are, nor about whom the inquiry is made. I presume however, that they were either signed by myself or under my directions, as I take it no one would sign my name without authority, and will state this circumstance; I remember signing a letter, possibly two, relating to the allotments of various Indians, and when I read them over, I inserted a clause in writing that the period of contest had expired. The letter was Typewritten but the inserted clause was written with pen and ink. If these are the letters, they were prepared at my request.

Very Truly yours,

THOS. NORMAN.

M C R 2045

Muskogee, Indian Territory, January 7, 1905.

Mack Phillip,

Ardmore, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 3rd instant, asking if any action has been taken on the application for the identification of your minor son, Joe Phillip, as a Mississippi Choctaw.

In reply you are informed that the application heretofore forwarded this office for the identification of Joe Phillip, minor son of Mack and Sallie Phiklip, has not up to the present time been passed upon by the Commission.

It appears from said application that Joe Phillip was born October 7, 1902, and your attention is invited to the following section of the Act of Congress approved July 1, 1902, which was ratified by the citizens of the Choctaw and Chickasaw Nations September 25, 1902:

"The names of all persons living on the date of the final ratification of this agreement entitled to be enrolled as provided in section 27 hereof shall be placed upon the rolls made by said Commission; and no child born thereafter to a citizen or freedman and no person intermarried thereafter to a citizen shall be entitled to enrollment or to participate in the distribution of the tribal property of the Choctaws and Chickasaws."

Respectfully,

Chairman.

M C R 2045

Muskogee, Indian Territory, March 14, 1905.

Mack Phillip,

Ardmore, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter bearing date of February 28, 1905, asking if you can file contest for your son, Joe Phillip, whose name is not yet approved as a Mississippi Choctaw.

In reply you are informed that the application heretofore forwarded this office for the identification of Joe Phillip, minor son of Mack and Sallie Phillip, has not up to the present time been passed upon by the Commission.

It appears from said application that Joe Phillip was born October 7, 1902, and your attention is invited to the following section of the Act of Congress approved July 1, 1902, which was ratified by the citizens of the Choctaw and Chickasaw Nations September 25, 1902:

"The names of all persons living on the date of the final ratification of this agreement entitled to be enrolled as provided in section 27 hereof shall be placed upon the rolls made by said Commission; and no child born thereafter to a citizen or freedman and no person intermarried thereafter to a citizen shall be entitled to enrollment or to participate in the distribution of the tribal property of the Choctaws and Chickasaws."

M P 2

The Commission cannot permit contest to be instituted in
behalf of your minor son, Joe Phillip.

Respectfully,

Chairman.

Muskogee, Indian Territory, April 10, 1905.

Mack Phillip,

Ardmore, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of the affidavits of Sallie Phillip and Betsy Porter to the birth of Joe Phillip, son of Mack and Sallie Phillip, October 7, 1902; also the affidavits of Sallie Phillip and Mrs. Lou Houchin to the birth of Nanny Phillip daughter of Mack and Sallie Phillip September 15, 1904.

It is stated in the affidavit of the mother that she is a citizen by blood of the Chickasaw Nation and if this is correct you are requested to state the name under which she was enrolled, the names of her parents and if she has selected an allotment of the lands of the Choctaw or Chickasaw Nations please give her roll number as it appears upon the allotment certificate.

This matter should have your immediate attention in order that proper disposition may be made of the application for the enrollment of these children.

Respectfully,

Commissioner in Charge.

W. O. B.

COMMISSIONERS.
TAMM SIXBY,
THOMAS B. NEEDLES,
C. E. RECKENRIDGE.

WM. O. BEALL,
Secretary.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

REFER TO REPLY TO THE FOLLOWING:

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory, April 20, 1905.

Mack Phillip,

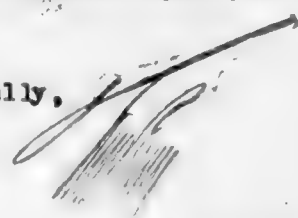
Ardmore, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of April 17, 1905, in which you state in the matter of the application for the enrollment of your children Joe and Nannie Phillip that the mother is Sallie Phillip a Mississippi Choctaw instead of a citizen by blood of the Chickasaw Nation, and this information has been made a matter of record.

It is further stated in the affidavits that you are a citizen by blood of the Chickasaw Nation, but the information contained therein was not sufficient to identify you upon our records as an applicant for enrollment in the Chickasaw Nation. If this is correct you are requested to state the name under which you were enrolled, the names of your parents, and if you have selected an allotment of the lands of the Choctaw and Chickasaw Nations please give your roll number as it appears upon your allotment certificate.

Respectfully,



Chairman.

M C R 2045

Muskogee, Indian Territory, April 28, 1905.

Mack Phillip,

Ardmore, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 24th instant, in reply to our communication of the 20th requesting further information in regard to the applications received at this office on March 31 and April 7, 1905, for the enrollment as citizens of the Choctaw Nation of Joe and Nannie Phillip.

From the information contained in your letter we are now able to identify you upon our records as an ~~identified~~ Mississippi Choctaw and the father of the above mentioned children.

Respectfully,

Chairman.

Muskegee, Indian Territory, September 13, 1905.

Maak Phillip,

Ardmore, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 5th instant, stating that some months ago your children Joe and Nannie Phillip were placed upon the roll of the Choctaw Nation, and as you have not been informed as to when you can file for them you desire to be advised in regard to the matter.

There are on file in this office applications for the enrollment of Joe and Nanny Phillip as citizens of the Choctaw Nation under the provisions of the Act of Congress approved March 3, 1905 (33 Stats., 1060). No action has as yet been taken on these applications, but the same will receive consideration as early as practicable.

Respectfully,

Acting Commissioner.



For Identification as a Mississippi Choctaw.

Date May 4. 1901

Name Mack Phillip

Age 25- Blood full

Post Office, Ennis, Miss.

Father: Williamson Phillip ^{full b.} l

Mother: Jinnie " full blood l

Claims through both parents

wife Sallie, full blood 23.

" Father J. Porter f.b. l

" Mother Betie " " l

See McCasade filed. No. 154

Children:

Arlena " full b. 2

Mary " " 8 m.

Claims for self
wife and children.

Stenographer

H. J. Strick

RECEIVED
MAR 11 1903
Mack Phillip

2045

COPY OF DECISION FORWARDED
APPLICANT

MAR 11 1903

RECEIVED
MAR 11 1903
Mack Phillip

Choctaw MCR 2046

Sallie Temona

MCR 2046

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application of Sallie Temona
for identification as a Mississippi Choctaw. M. C. R. 2046.

INDEX

	Page
Original application of Sallie Temona for identification as a Mississippi Choctaw	1
Decision of the Commission identifying Sallie Temona as a Mississippi Choctaw.	4

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Philadelphia, Mississippi, May 4, 1901.

In the matter of the application of Sallie Temona for identification as a Mississippi Choctaw.

Sallie Temona, having been first duly sworn, upon her oath testifies as follows, through Tom Tubbee, official interpreter:

Examination by the Commission:

- Q What is your name? A Sallie Temona.
Q How old are you? A Sixty.
Q What is your post office address? A Tucker, Mississippi.
Q How long have you lived in Mississippi? A All my life?
Q Is your father living? A Dead long time.
Q What was his name? A Stemona.
Q Was he a full blood Choctaw? A Yes.
Q Did he live in Mississippi all his life? A Yes.
Q Is your mother living? A Died--went to the nation and died there.
Q What was her name? A A-chun-a.
Q When did she go to the Nation? A Time the folks moved.
Q When all the Choctaws moved out there? A Yes, that time.
Q Was your mother a full blood Choctaw? A Yes.
Q You claim to be a full blood do you? A Yes.
Q Do you remember the treaty of Dancing Rabbit Creek? A Don't know.
Q How old were you when your mother went west to the new Choctaw Nation? A I was pretty near grown.
Q Did your mother go out with the first emigration of Indians?
Q Big drove at that time go--big drove Injuns.
Q You do not know whether it was the first Indians that went out nor
A No.
Q Did your mother ever come back to Mississippi after she went out west? A No, never came back.
Q Did your father live in Mississippi all his life? A Yes.
Q Are you married? A No, been married, husband dead.
Q Have you any children under twenty one years of age and unmarried?
A No.
Q This application is for yourself alone? A Yes.
Q Is your name on any of the Choctaw tribal rolls in the Indian Territory? A No.
Q Were either of your parents ever recognized in any manner or enrolled as members of the Choctaw tribe of Indians out in Indian Territory by the Choctaw tribal authorities or by the United States authorities? A Don't know.
Q Did you ever make application to the Choctaw tribal authorities out in Indian Territory to be enrolled as a member of that tribe? A No.
Q Did you apply to this Commission in 1896 for citizenship in the Choctaw Nation? A No.
Q Have you ever been admitted to citizenship in the Choctaw Nation by the Choctaw tribal authorities, by the Commission to the Five Civilized Tribes or by the United States Court for Indian Territory?
A No.
Q Have you ever made application prior to this time either to the Choctaw tribal authorities, the Commission to the Five Civilized Tribes to be enrolled or admitted as a citizen of the Choctaw Nation?
A Made application two years ago.

The records of the Commission show that on January 30, 1899, this applicant appeared before the Commission at Philadelphia, Mississippi and made application for the identification of herself as a Mississippi Choctaw, her name appearing as Sallie Stemona

Sallie Temona---2.

Upon Mississippi Choctaw card Field No.143, also upon page 53 of the schedule of Mississippi Choctaws which accompanied the report of the Commission to the Five Civilized Tribes of March 10, 1899, to the Secretary of the Interior as to the identity of Choctaw Indians residing in Mississippi claiming rights in the Choctaw lands under the provisions of the fourteenth article of the treaty of Dancing Rabbit Creek, being No.501 thereon.

- Q Is it now your purpose to make application for identification as a Mississippi Choctaw? A Yes.
- Q Do you claim your rights as a beneficiary under the provisions of the fourteenth article of the treaty of Dancing Rabbit Creek? A Yes.
- Q Have you ever received any benefits as a Choctaw? A No.
- Q Did any of your ancestors ever receive any benefits as a Choctaw Indians? A Grandma and Grandpa got land in Mississippi.
- Q What were the names of your grandparents that got land? A Ille-honah, my mother's mother---Athau-lache.
- Q What was the name of Ille-honah's mother? A Don't know.
- Q Did she have any brother's or sisters? A Sister died in the nation.
- Q What was her name? A I-no-se-hama.
- Q What was your father's father's name? A Don't know.
- Q Did your father have any brothers? A Had a sister.
- Q What was her name? A Don't know.
- Q Have you any old deeds or patents or papers of any kind showing that any of your parents or grandparents got land from the government? A No.
- Q Did you ever see any such papers? A Lost in the Court house--lost the title.
- Q Do you mean you did not pay the taxes on it and lost the land? A Yes, on tax?
- Q Did you ever see any old deed or paper from the government of the United States signed by the president giving to your people this land? A No.
- Q Where was the land situated? A About eight miles from here.
- Q Who owns that land now? A Bogan Spen first lived there and he moved and another man got it.
- Q Did your people ever live on this land or did you ever live on it? A Yes.
- Q How long since you lived on it? A Long time.
- Q Did any of your ancestors except your mother remove from the old Choctaw Nation in Mississippi and Alabama to the new Choctaw Nation in the Indian Territory at the time the other members of the tribe went out there between the years 1833 and 1838? A Some of them.
- Q Who were they? A Ah-to-she-tubbee, he went and came back.
- Q What relation was he to you? A Uncle.
- Q What one of your ancestors stayed here in Mississippi and signified to the Indian Agent within six months after the treaty of Dancing Rabbit Creek was ratified his intention to remain here and become citizens of the states. A Grandpa and grandma lived here and others gone.
- Q On your father's or mother's side? A Mammy's mother and father stayed here.
- Q Do you remember both of their names? A Ah-chupp-e-hoyo.
- Q Was that your mother's father? A Yes.
- Q What was your grandmother's name? A Don't know.
- Q Are there any additional statements you want to make in support of this application at this time? A No.
- Q Have you any documentary evidence, affidavits, written testimony of any description, copies of records, deeds or patents or other proper papers, showing that your ancestors were recognized members of the Choctaw tribe of Indians in 1830 when the treaty of Dancing Rabbit Creek was made or that any of them ever complied or attempted

Sallie Temona---3.

to comply with the provisions of the fourteenth article of the treaty of Dancing Rabbit Creek or ever claimed or received any benefits thereunder? A No.

This applicant has ever appearance of a full blood Indian. She does not speak the English language, the examination having been conducted through a sworn Choctaw interpreter.

The decision of the Commission as to the application made by you at this time for identification as a Mississippi Choctaw will be determined at the earliest possible date and a report of the same made to the Secretary of the Interior conformable to the provisions of the twenty first section of the act of Congress of June 26, 1898, and a copy of the same will be mailed to you at your post office address as given in your testimony.

H.C.Risteen, having been first duly sworn, upon his oath states: That as stenographer to the Commission to the Five Civilized Tribes he reported in full all proceedings had in the above entitled cause on the 4th day of May, 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes of said proceedings on said date.

H.C. Risteen

Subscribed and sworn to before me at Meridian, Mississippi, this 16th day of May, 1901.

[Signature]

Notary Public.

COPY.

Muskogee, Indian Territory, February 21, 1903.

Mansfield, McMurray & Cornish,
Attorneys for the Choctaw and Chickasaw Nations,
South McAlester, Indian Territory.

Gentlemen:

Enclosed herewith you will find a copy of the decision of the Commission rendered February 14, 1903, identifying Sallie Temona as a Mississippi Choctaw Indian under the provisions of the forty-first section of the act of Congress approved July 1, 1902, (32 Stats., 641).

You are hereby advised that you will be allowed fifteen days from the date hereof, in which to file with this Commission such protest as you desire to make against the action of the Commission in identifying the said Sallie Temona as a Mississippi Choctaw, and make satisfactory proof of service of said protest upon the applicant herein.

If you fail to file such protest within the time allowed, the name of the applicant herein will be placed upon the schedule of duly identified Mississippi Choctaws now being prepared by this Commission.

Respectfully,

Jame Dixby.
Acting Chairman.

Registered.

Enc. MT. 62

COMMISSIONERS
TAMM BIXBY,
THOMAS B. NEEDLES,
C. R. BRECKINRIDGE,
W. E. STANLEY.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

M.C.R.2046

ALLISON I. AYLESWORTH,
SECRETARY.

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory, March 11, 1903.

Sallie Temona,

Tucker, Mississippi.

Dear Madam:

Enclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered February 14, 1903, identifying you as a Mississippi Choctaw Indian under the provisions of Section 41 of the Act of Congress approved July 1, 1902, (32 Stats., 641).

If you remove to the Choctaw-Chickasaw country, Indian Territory, before August 14, 1903, you will have six months from that date or until February 14, 1904, within which to make proof of such removal and settlement at the office of the Commission at Atoka, Choctaw Nation, or Tishomingo, Chickasaw Nation.

Respectfully,



Chairman.

Registered.

Enc. 2046

Muskogee, Indian Territory, August 26, 1903.

Commissioner in Charge,

Chickasaw Land Office,

Tishomingo, Indian Territory,

Dear Sir:

You are hereby advised that the following notations have been made upon identified Mississippi Choctaw card Number 239, and you are requested to make corresponding notation upon the duplicate Mississippi Choctaw card in possession of your office.

SETTLEMENT ADDRESS "Atoka, Ind. Ter."

DATE OF PROOF OF SETTLEMENT "Aug. 18, 1903."

Respectfully,

Chairman.

For Identification as a Mississippi Choctaw.

Date

MAY 4 1901

Name

Sallie ~~St~~ Temona

Age

60

Blood

Full

Post Office,

Tucker, Miss

Father:

Temona (dead)

Mother:

A-chu-na "

Claims through both parents

(Claims for herself alone)

(See Miss. Choct. card Field
No. 143.)~~Children:~~

Stenographer

H. C. Pester

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE PACIFIC-CIVILIZED TRIBES.

FILED

JAN 5 1904



[Handwritten signature]

CHAIRMAN



Department of the Interior.

Commission to the Five Civilized Tribes.

MUSKOGEE, IND. TER.

OFFICIAL BUSINESS.

Penalty for private use, \$300.



21
JAN 5 1894

Charlie Pimona.

Atoka.

27

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES
FILED

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED

MAY 11 1903



CHAIRMAN

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED
MAY 11 1903
DIHO





Department of the Interior.

Commission to the Five Civilized Tribes,

MUSKOGEE, IND. TER.

OFFICIAL BUSINESS.

Penalty for private use, \$300.

Sallie Tenora,

~~Wagon~~ Mississippi.

Muskogee

Ind Ter.

4705

FOR IDENTIFICATION AS
A MISSISSIPPI CHOCTAW.

Sallie Temona.

IDENTIFIED

2046

DECISION RENDERED FEB 11 1903

COPY

FEB 11 1903

COPY OF DECISION FORWARDED
APPLICANT

MAR 11 1903

8/15/03. P.O. Choctaw A.S.

Choctaw MCR 2047

Joe Jimmerson

MCR 2047

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

---O---

In the matter of the application of Joe Jimmerson, et al.
for identification as Mississippi Choctaws, M. C. R. 2047.

---O---

--: I N D E X :--

	(Page)
Original application of Joe Jimmerson, et al. for identification as Mississippi Choctaws-----	1
Affidavit of Joe Jemmerson-----	4
Decision of the Commission identifying Joe Jimmerson, et al. as Mississippi Choctaws-----	5

---O---

State of Mississippi)
County of Newton)SS
)

On this 24 day of Jan., 1903, personally appeared before me, the undersigned authority, a duly appointed and acting Notary Public, _____ a _____, who upon his oath states that he will well and truthfully interpret from English into Choctaw the questions propounded to the witness and from Choctaw into the English the answers given by said witness to said questions.

He speaks English.

Subscribed and sworn to before me at A. W. Burt
Mississippi, this 24 day of January, 1903.

A. W. Burt
Notary Public.

State of Mississippi)
County of NEWTON) SS

On this 24 day of Jan, 1903, personally appeared before me, the undersigned authority, a duly appointed and acting Notary Public, Joe Jimmerson, who having first been duly sworn deposes and says:

Q Give your name, age and Postoffice address.

Answer

Joe Jimmerson Age 40. Holy Cross
Miss

Q

Are you the identical Joe Jimmerson who on May 4, 1901, appeared before the Commission to the Five Civilized Tribes at Philadelphia, Mississippi, and there made application for the identification of yourself, your wife, Martha Jimmerson, and your minor grand-children, Marsaline, Joe, Tom and Jane Jack, as Mississippi Choctaws?

Ans.

I am

Q

Are your grand-children, Marsaline, Joe, Tom and Jane Jack, still living?

Ans.

They are

Q

What is the name of the father of your grand-children, Marsaline, Joe, Tom and Jane Jack?

Ans.

Henry Jack

Q

Was he possessed of Choctaw blood and if so in what degree?

Ans.

Full blood

A. M. Burt, M. B. S.

Subscribed and sworn to before me at *Northwood* Mississ-

Ardmore, I. T., February 1903.

To the Commission to the Five Civilized Tribes,
Muskogee, Indian Territory.

You will please deliver to J. G. Ralls, of Atoka, Indian Territory, any copies of the records in my case, that under the rule of law the Commission may give out to attorneys, as I have employed him to assist me in this case.

Witness

J. A. Sippit

^{his}
Joe X Gemmison
mark

^{his}
Martha X Gemmison
mark

They also applied for their five children
Orpha, Susan, Bessie, Jack, Marcelline,
Joe and Tom.

INDIAN TERRITORY)
SS
SOUTHERN DISTRICT

~~STATE OF MISSISSIPPI~~)
~~COUNTY OF~~XXXXXXXXXXXXXXX) ss:

On this 2nd day of May, 1903, personally appeared before me, the undersigned, a duly appointed and acting notary public, Joe Jimmerson; who having first been duly sworn deposes and says:

Q State your name, age and postoffice address?

Answer. Joe Jimmerson, about 80 years old, post office Ardmore, I.T.

Q Are you the identical Joe Jimmerson who on May 4, 1901, appeared before the Commission to the Five Civilized Tribes at Philadelphia, Mississippi, and there made application for the identification of yourself, your wife, Martha Jimmerson, and your minor grandchildren, Marsaline, Joe, Tom and Jane Jack, as Mississippi Choctaws?

Answer. Yes.

Q Are your grandchildren, Marsaline, Joe, Tom and Jane Jack, still living?

Answer. Yes.

Q What is the name of the father of your grand-children, Marsaline, Joe, Tom and Jane Jack?

Answer. Henry Jack.

Q Was he possessed of Choctaw blood, and if so, in what degree?

Answer. Yes, full-blood Mississippi Choctaw.

WITNESSES TO MARK:

G. Piffit

Joe Jimmerson
mark

Subscribed and sworn to before me at Ardmore, I. T. ~~Mississippi~~
on this 2nd day of May, 1903.

Gena Piffit

Notary Public.

Enc B I 26-133.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES
FILED

MAY 5 1903

A handwritten signature in dark ink, appearing to be "W. B. Smith", is written over the "FILED" and "MAY 5 1903" stamps.

CHAIRMAN

INDIAN TERRITORY)
) SS
 SOUTHERN DISTRICT

~~STATE OF MISSISSIPPI~~)
~~COUNTY OF XXXXXXXXXXXXXXXXXX~~) ss:

On this 2nd day of May, 1903, personally appeared before me, the undersigned, a duly appointed and acting notary public, Joe Jimmerson; who having first been duly sworn deposes and says:

Q State your name, age and postoffice address?

Answer. Joe Jimmerson, about 80 years old, post office Ardmore, I.T.

Q Are you the identical Joe Jimmerson who on May 4, 1901, appeared before the Commission to the Five Civilized Tribes at Philadelphia, Mississippi, and there made application for the identification of yourself, your wife, Martha Jimmerson, and your minor grandchildren, Marsaline, Joe, Tom and Jane Jack, as Mississippi Choctaws?

Answer. Yes.

Q Are your grandchildren, Marsaline, Joe, Tom and Jane Jack, still living?

Answer. Yes.

Q What is the name of the father of your grand-children, Marsaline, Joe, Tom and Jane Jack?

Answer. Henry Jack.

Q Was he possessed of Choctaw blood, and if so, in what degree?

Answer. Yes, full-blood Mississippi Choctaw.

WITNESSES TO MARK:

[Signature]

[Signature]
 Mark

Subscribed and sworn to before me at Ardmore, I. T. Mississippi
 on this 2nd day of May, 1903.

[Signature]
 Notary Public.

2047

Department of the Interior,
Commission to the Five Civilized Tribes,
Philadelphia, Mississippi, May 4, 1901.

In the matter of the application of Joe Jimmerson for the identification of himself and his wife as Mississippi Choctaws.

Joe Jimmerson, being first duly sworn, upon his oath testified as follows:

Examination by the Commission.

- Q What is your name? A Joe Jimmerson.
- Q What is your age? A About 65, I believe .
- Q What is your post office address? A Holy Cross, Mississippi.
- Q What county? A Newton.
- Q How long have you lived in Mississippi? A Always.
- Q You have been to the Indian Territory, have you? A Yes sir.
- Q Did you go out there to live? A But, my folks come back and I come back.
- Q What is your father's name? A Jim Porter.
- Q Full blood? A Yes.
- Q Is he living? A Dead.
- Q What is your mother's name? A Martha.
- Q Full blood? A Yes.
- Q Is she living? A No died.
- Q Are you a full blood? A Yes.
- Q Claim through both parents? A Yes.
- Q Have your parents, through whom you claim your right to identification as a Mississippi Choctaw, ever been recognized in any manner or enrolled as members of the Choctaw tribe of Indians by the Choctaw tribal authorities or by the authorities of the United States? A Yes.
- Q Was your mother's name put on the rolls? A Yes, once.
- Q Did they both die out there? A No, in this County.
- Q Are you married? A Yes sir.
- Q What is your wife's name? A Martha.
- Q Is she full blood? A Yes.
- Q How old is Martha? A About 65.
- Q What was her father's name? A I don't know.
- Q What is her mother's name? A I don't know.
- Q Both full bloods? A Yes.
- Q Dead, both of them? A Yes.
- Q You make application for her? A Yes.
- Q When were you married to her? A About 25 years ago; I have been married three times.
- Q Did you marry this wife by the Indian custom, or by license?
- A By license.
- Q When you married her did they have licenses? A Yes.
- Q Have your wife's parents, through whom you claim for her the right to identification as a Mississippi Choctaw, ever been recognized in any manner or enrolled as members of the Choctaw tribe of Indians by either the Choctaw tribal authorities or by the authorities of the United States? A Yes sir, they got money out there.
- Q Have you any children? A I have got four grand children.
- Q What are their names and ages? A Marsaline, 10; Joe, 9; Tom, 8; and Jane Jack, 5 years old.
- Q Are the father and mother of these children dead? A Yes, father

Joe Jimmerson, et al., #2.

died, and mother died; we keep them.

- Q Are they all the children of the same father and mother? A Yes.
Q Was their mother your daughter? A Yes.
Q And you keep these grand children and support of them? A Yes.
Q Who is the mother of these children? A Mary Jack.
Q Full blood? A Yes.
Q She is dead? A Yes.
Q And who is the father? A Henry Jack.
Q Is your name or your wife's name on the names of these grand children on any of the tribal rolls of the Choctaw Nation in Indian Territory? A No.
Q Have you ever made application to the Choctaw authorities in Indian Territory, for yourself, wife or any of these grand children, to be enrolled as members of that tribe? A No.
Q Did you, or anyone for you, in the year 1896, make application to the Commission to the Five Civilized Tribes for yourself, your wife and these children for citizenship in the Choctaw Nation, under the Act of Congress of June 10, 1896? A No.
Q Have you, or your wife or these children, ever been admitted to citizenship in the Choctaw Nation, by either the Choctaw tribal authorities, the Commission to the Five Civilized Tribes, or by the United States Court in Indian Territory? A No.
Q Have you ever made application before this time to either the Choctaw tribal authorities or to the authorities of the United States to be admitted or enrolled as citizens, for yourself, your wife, or these children? A Yes, two years ago.

The records of the Commission show that on January 30, 1899, Joe Jamison appeared before the Commission at Philadelphia, Mississippi, and made application for the identification of himself, his wife and daughter, and these four children as Mississippi Choctaws, their names appearing upon Mississippi Choctaw Card, Field Number 5; the names of these persons also appear upon the Schedule of Mississippi Choctaws, which accompanied the report of March 10, 1899, of the Commission to the Five Civilized Tribes to the Secretary of the Interior, as to the identity of Choctaw Indians residing in Mississippi, claiming rights in the Choctaw lands under the provisions of the Fourteenth Article of the Treaty of 1830, being Numbers 16, 17, 18, 19, 20, 21 and 22, respectively thereon.

- Q Do you now come before the Commission for yourself, your wife and these children to be identified as Mississippi Choctaws? A Yes.
Q Do you claim your rights as beneficiaries under the provisions of the Fourteenth Article of the Treaty of 1830? A Yes.
Q Have you ever received any benefits as Choctaw? A No.
Q Did any of your ancestors ever get any benefits as Choctaw Indians? A My mother got some money from the Government in the Territory.
Q She got money A Yes.
Q Your mother's people, did they get money? A Yes.
Q Where; in the Indian Territory? A Yes.
Q In Mississippi? A No, in Territory.
Q What is the name of your mother's relative who got money from the Government? A Chomp-pe-te-mah.
Q Do you remember her father's name? A Yes.
Q What is her father's name? A E-lap-a-snow-wah.
Q They got money? A Yes, in Territory.

Joe Jimmerson, et al., #3.

- Q Did they get any land? A No.
Q Have any of your wife's ancestors, or your ancestors, ever received any land in Indian Territory or Mississippi? A No sir.
Q Under Article Fourteen of the Treaty of 1830? A No sir.
Q Is there anything further you want to say in support of your claim? A No.
Q Have you any documentary evidence, affidavits, written testimony of any description, copies of records, deeds or patents, or any other papers showing that any of your ancestors, or any of your wife's ancestors were, in 1830, when the Treaty of Dancing Rabbit Creek was ratified, recognized members of the Choctaw tribe of Indians, or that any of them ever complied or attempted to comply with the provisions of the Fourteenth Article of the Treaty of 1830, or ever received any benefits under that Article of that Treaty? A No.

(This applicant has the appearance and all of the characteristics of a full blood Choctaw Indian; he speaks the Choctaw language, and speaks the English language imperfectly, but sufficiently well to understand ~~his~~ the questions and give his answers in an intelligent manner.)

The decision of the Commission as to the application made by you at this time for the identification of yourself, your wife and four minor grand children as Mississippi Choctaws will be determined at the earliest possible date, and a report of same made to the Secretary of the Interior, conformable to the provisions of the Twenty First Section of the Act of Congress of June 28, 1898, and a copy of the same will be mailed to you to your post office address as given in your testimony.

R.S. Streit, being first duly sworn, upon his oath states that as stenographer to the Commission to the Five Civilized Tribes, he reported in full all proceedings had in the above entitled cause on the 4th day of May, 1901, and that the above and foregoing is a full, true and correct translation of his stenographic notes of said proceedings upon said date.

R. S. Streit

Subscribed and sworn to before me at Meridian, Mississippi, this 8th day of June 1901.

[Signature]
Notary Public.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application of Joe Jimmerson, et al.,
for identification as Mississippi Choctaws, M. C. R. 2047.

D E C I S I O N .

It appears from the record herein that application for identification as Mississippi Choctaws was made to this Commission on May 4, 1901, by Joe Jimmerson for himself, his wife, Martha Jimmerson and his four minor grand-children, Marsaline Jack, Joe Jack, Tom Jack and Jane Jack, under the following provision of the act of Congress approved June 28, 1898 (30 Stats., 495):

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths , examine witnesses and perform all other acts necessary thereto and make report to the Secretary of the Interior."

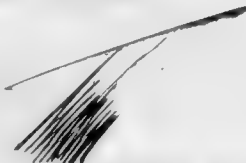
From the evidence submitted in support of said application it appears that all the applicants are full blood Mississippi Choctaw Indians.

Section forty-one of the act of Congress entitled "An Act to ratify and confirm an agreement with the Choctaw and Chickasaw tribes of Indians, and for other purposes" approved July 1, 1902, (32 Stats., 641) and ratified by the Choctaw and Chickasaw Nations September 25, 1902, provides as follows:

"The application of no person for identification as a Mississippi Choctaw shall be received by said Commission after six months subsequent to the date of the final ratification of this agreement and in the disposition of such applications all full blood Mississippi Choctaw Indians and the descendants of any Mississippi Choctaw Indians whether of full or mixed blood who received a patent to land under the said fourteenth article of the said treaty of eighteen hundred and thirty who had not moved to and made bona fide settlement in the Choctaw-Chickasaw country prior to June twenty-eighth, eighteen hundred and ninety-eight, shall be deemed to be Mississippi Choctaws, entitled to benefits under article fourteen of the said treaty of September twenty-seventh, eighteen hundred and thirty, and to identification as such by said Commission, but this direction or provision shall be deemed to be only a rule of evidence and shall not be invoked by or operate to the advantage of any applicant who is not a Mississippi Choctaw of the full blood, or who is not the descendant of a Mississippi Choctaw who received a patent to land under said treaty, or who is otherwise barred from the right of citizenship in the Choctaw Nation, all of said Mississippi Choctaws so enrolled by said Commission shall be upon a separate roll."

It is, therefore, the opinion of this Commission that Joe Jimmerson, Martha Jimmerson, Marsaline Jack, Joe Jack, Tom Jack and Jane Jack, should be identified as Mississippi Choctaws, and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.


Acting Chairman.


Commissioner.


Commissioner.

Muskogee, Indian Territory:

JUL 11 1903


Commissioner.

Muskogee, Indian Territory, January 12, 1903.

Joe Jimmerson,

Holy Cross, Mississippi.

Dear Sir:

It appears from the records of the Commission that on May 4, 1901, you appeared at Philadelphia, Mississippi, and there made application for the identification of yourself, your wife, Martha Jimmerson, and your minor grandchildren, Marsaline, Joe, Tom and Jane Jack, as Mississippi Choctaws, stating at that time that you, your wife, Martha Jimmerson, and the mother of these grandchildren, Mary Jack, deceased, were full blood Choctaw Indians. You failed to state whether or not your deceased son-in-law, Henry Jack, the father of your grandchildren, Marsaline, Joe, Tom and Jane Jack, was a full blood Choctaw Indian. As this information is necessary in order for the Commission to render a decision in your application relative to your grandchildren, an affidavit in interrogatory form is herewith enclosed you and you are requested to take same before a Notary Public and answer the questions therein contained, after doing which you will return said affidavit to this Commission

An addressed envelope is also enclosed wherein you can return said affidavit without payment of postage.

Respectfully,

Enclosure
H.H.
Addressed Envelope
Register:

Acting Chairman.

COMMISSIONERS
HENRY L. DAWES,
TAMS BIXBY,
THOMAS B. NEEDLES,
C. R. BRECKINRIDGE.

ALLISON L. AYLESWORTH,
SECRETARY

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

REFER IN REPLY TO THE FOLLOWING

M O R 3047

ADDRESS ONLY
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, February 9, 1903.

Joe Jimmerson,

Holy Cross, Mississippi.

Dear Sir:

Receipt is hereby acknowledged of your answers to the interrogatories forwarded you with our letter of January 12, 1902, and they are returned to you herewith for the reason that you have failed to sign the same, and the Notary Public before whom they were acknowledged has affixed his name on the line where you should have signed your name. He also neglected to affix his seal thereto.

Kindly give this matter your immediate attention, and return the interrogatories, properly signed and sworn to, at the earliest possible date.

Respectfully,



Acting Chairman.

Enc. W H M-23.

M.C.R. 2047.

Muskogee, Indian Territory, April 2, 1903.

Joe Jimmerson,

Ardmore, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 30th ultimo, advising change of the postoffice address of yourself and Lucy Jimmerson to Ardmore, Indian Territory.

A proper record has been made of said change.

Respectfully,

Commissioner in Charge.

M.C.R. 2047.

Muskogee, Indian Territory, April 8, 1903.

Joe Jimmerson,

Ardmore, Indian Territory.

Dear Sir:

On January 12, 1903, the Commission forwarded to you at Holy Cross, Mississippi, some interrogatories, answers to which it was necessary should be received at this office before final action could be taken upon your application for the identification of yourself and family as Mississippi Choctaws.

There interrogatories were returned but are not in proper form as you had not signed the same, and the officer before whom they were taken failed to affix his seal thereto.

There is enclosed herewith another set of interrogatories, and you are requested to take same before some notary public and answer under oath the questions therein propounded, returning same to the Commission in the enclosed self-addressed envelope.

This matter should receive your immediate attention as no further steps can be taken in the matter of the application for identification of yourself and family as Mississippi Choctaws

J J 2

until the information requested is furnished.

Respectfully,

Env.

Chairman.

Enc B I 26-153.

M C R 2047

Muskogee, Indian Territory, May 6, 1903.

Joe Jimmerson,

Ardmore, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your affidavit, in interrogatory form, offered in support of your application for identification as a Mississippi Choctaw. The same has been filed with the record in your case.

Respectfully,

Chairman.

COPY.

MFC.R. 2047

Muskogee, Indian Territory, July 11, 1903.

Mansfield, McMurray & Cornish,
Attorneys for the Choctaw and Chickasaw Nations,
South McAlester, Indian Territory.

Gentlemen:

Enclosed herewith you will find a copy of the decision of the Commission rendered July 11, 1903, identifying Joe Jimmerson, his wife, Martha Jimmerson, and minor grand-children, Marsaline Jack, Joe Jack, Tom Jack and Jane Jack as Mississippi Choctaw Indians under the provisions of the forty-first section of the act of Congress approved July 1, 1902, (32 Stats., 641).

You are hereby advised that you will be allowed fifteen days from the date hereof, in which to file with this Commission such protest as you desire to make against the action of the Commission in identifying the said Joe Jimmerson, his wife, and minor grand-children, as Mississippi Choctaws and make satisfactory proof of service of said protest upon the applicants herein.

If you fail to file such protest within the time allowed, the names of the applicants herein will be placed upon the schedule of duly identified Mississippi Choctaws now being prepared by this Commission.

Respectfully,

(SIGNED)

T. E. Needles.

Commissioner in Charge.

Registered.

Enc. 2047.

COPY.

Muskogee, Indian Territory, July 11, 1903.

Joe Jimmerson,

Ardmore, Indian Territory.

Dear Sir:

Enclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered July 11, 1903, identifying yourself, your wife, Martha Jimmerson and your minor grand-children, Marsaline Jack, Joe Jack, Tom Jack and Jane Jack as Mississippi Choctaw Indians under the provisions of Section 41 of the Act of Congress approved July 1, 1902, (32 Stats., 641).

If you remove to the Choctaw-Chickasaw country, Indian Territory, before January 11, 1904, you will have six months from that date or until July 11, 1904, within which to make proof of such removal and settlement at the office of the commission at Atoka, Choctaw Nation or Tishomingo, Chickasaw Nation.

Respectfully,

(SIGNED)

I. B. Needles.

Commissioner in Charge.

Registered.

Enc. 2047

COPY.

Muskogee, Indian Territory, July 11, 1903.

Mansfield, McMurray & Cornish,
Attorneys for the Choctaw and Chickasaw Nations,
South McAlester, Indian Territory.

Gentlemen:

Enclosed herewith you will find a copy of the decision of the Commission rendered July 11, 1903, identifying Joe Jimmerson, his wife, Martha Jimmerson, and minor grand-children, Marsaline Jack, Joe Jack, Tom Jack and Jane Jack as Mississippi Choctaw Indians under the provisions of the forty-first section of the act of Congress approved July 1, 1902, (32 Stats., 641).

You are hereby advised that you will be allowed fifteen days from the date hereof, in which to file with this Commission such protest as you desire to make against the action of the Commission in identifying the said Joe Jimmerson, his wife, and minor grand-children, as Mississippi Choctaws and make satisfactory proof of service of said protest upon the applicants herein.

If you fail to file such protest within the time allowed, the names of the applicants herein will be placed upon the schedule of duly identified Mississippi Choctaws now being prepared by this Commission.

Respectfully,

(SIGNED)

E. D. Needles.

Commissioner in Charge.

Registered.

Enc. 2047.

No 2017

For Identification as a Mississippi Choctaw.

Date May 4. 1901

Name Joe Jimmerson

Age 65 Blood full

Post Office, Holy Cross, Miss.

Father: Jim Porter f.b. d

Mother: Martha " f.b. d

Claims through both parents.

wife Martha " f.b. - 65

father - dont know - f.b. d

mother - dont know. f.b. d

see M. E. Card filed No. 5

Children: Grandchildren

Marsaline Jack f.b. 10

Joe Jack - f.b. 9

Tom " - f.b. 8

Jane " f.b. 5

Mother of above children

Mary Jack f.b. d

father Henry Jack f.b. d

(Claims for himself, wife and 4

Grandchildren)

Stenographer

R. S. Streit.

IDENTIFICATION AS
A MISSISSIPPI CHOCTAW

for Jimmerson et al

IDENTIFIED

DECEMBER 1900

COPY

COPY

1900

P. C. Anderson, Jr.

Department of the Interior.

Commission to the Five Civilized Tribes,

MUSKOGEE, IND. TER.

OR BUSINESS.

Penalty for late use, \$300.



Amber
Holy Cross
Miss

Admission

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED

APR 2 1903

[Signature]

CHAIRMAN

2047

File

MAR 12 1903
MISS.

PHILADELPHIA
MAR 12 1903
MISS.

MISS.

HOLLYWOOD
MAR 12 1903
MISS.

ANTON
FEB 12 1903

ANTON
MAR 12 1903

Choctaw MCR 2048

Lem Billey

MCR 2048

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.

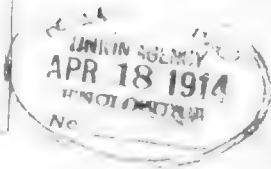
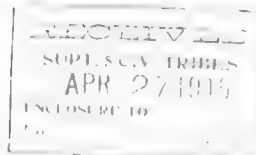
The record herein is in the matter of the application of
Lem Bille, for identification as a Mississippi Choctaw. W C R 2048.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application of Lem Billey for
identification as a Mississippi Choctaw. M. C. R.2048.

I N D E X

	Page
Original application of Lem Billey for identification as a Mississippi Choctaw ,	1
Decision of the Commission identifying Lem Billey as a Mississippi Choctaw,	3



MEMORANDUM FOR MR. C. BOZARTH, DISTRICT ATTORNEY, TULSA, OKLA.

RE: LEM BILLY, MISSISSIPPI CRO. NO. _____

In the matter of residence of
Lem Billy, deceased.

Ex-parte affidavit of Ada Johnson, nee Billy.

Q State your name, age, residence?

A Ada Johnson, nee Billy. Kent, Okla. About 30 years old.

Q What kin were you to Lem Billy; explain fully.

A He was my half brother; our mother's name was Nellie Bob. His father's name was Billy. No other name. My father's name was John Allman.

Q When did Lem Billy move to Indian Territory?

A About 1903. We all came together.

Q Do you know when he went back to Mississippi? Explain fully, the circumstances of his leaving.

A He went back in the fall 1905. He left all his personal property, and stated to other people that he was coming back. He also told me he was coming back.

Q At the time of his leaving for Mississippi, who was he living with? (a) did he have a house of his own--(b) did he have any personal property?

A He had lived with me ten years, but had only recently married and had moved to a white man's house. (a) No. (b) Just his clothes, camp outfit, etc.

Q Did he leave any of his personal effects, such as clothes and household goods here when he returned to Mississippi?

A He left a stove, household goods, quilts and part of his clothes here.

Q When did you last see him before leaving for Mississippi?

A I saw him the day he left.

Q What was the condition of his health at the time he left?

A He appeared in good health.

- Q State if you know, for what purpose Lem Billy went back to Mississippi?
- A On a visit.
- Q Did he have any money at the time he left? (a) Did he have any in Mississippi? (b) was he financially able to come back to Oklahoma if he wanted to?
- A He had \$69.50 (sixty-nine 50/100) Dollars. He showed it to me the day he started. (a) No. (b) Yes.
- Q How long had he been in Mississippi when you heard he was dead? (a) had you heard he was sick (b) what was the cause of his death?
- A I had one letter from him. In that letter he said he would be back in about four months. After that I got no word until I heard he was dead.
- Q Who were the heirs of Lem Billy? Explain fully
- A His wife died here before he left, and he moved in the house with us. Her name was Emachibona Tonubbi. His father and mother both died while he was small. His heirs are myself (half-sister), Melissa Polk(half-sister), and Reesey Johnson, (half-sister).
- Q Did Lem Billy make any improvement on his allotment while here?
- A He built a small cabin and cleared about two acres.

Witnesses:

F. D. Copping

H. J. Hudson

(Signed) ADA JOHNSON

Her
thumb
mark

Subscribed and sworn to before me this 16th day of April, 1914.

(Seal)

J. R. OLSON

My Commission expires December 11/1916

NOTARY PUBLIC.

I, the undersigned, hereby certify that the above and foregoing is a true and correct copy of the affidavit made in my presence by the said Ada Johnson.


 Notary Public.

My Commission expires Dec. 11/1916;

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Philadelphia, Mississippi, May 4, 1901.

In the matter of the application of Lem Billey for identification as a Mississippi Choctaw.

Lem Billey, having been first duly sworn, upon his oath testifies as follows through Smith Williams, duly sworn Choctaw Interpreter:

Examination by the Commission:

- Q What is your name? A Lem Billey
Q What is your age? A Twenty one.
Q What is your post office address? A Tucker, Mississippi.
Q How long have you lived in Mississippi? A Stayed here all my life.
✓ Q Is your father living? A No, dead.
✓ Q What was his name? A Billey--Injun name Techubbee.
✓ Q Is your mother living? A No, dead.
✓ Q What was her name? A Kissie.
Q Did she have a Choctaw name? A No, don't know.
✓ Q Was your mother a full blood Choctaw? A Yes.
✓ Q Was your father a full blood? A Yes.
✓ Q You claim to be a full blood? A Yes.
Q Have all of your ancestors always lived in Mississippi as far as you know? A Yes.
Q Was either of your parents ever recognized in any manner or enrolled as members of the Choctaw tribe of Indians out in Indian Territory by the tribal authorities or by the United States authorities?
A Don't know.
Q Are you married? A No.
✓ Q This application is for yourself alone? A Yes.
Q Is your name on any of the tribal rolls of the Choctaw Nation in Indian Territory? A No, don't know.
Q Have you ever made application to the Choctaw tribal authorities to be enrolled as a member of that tribe? A No.
Q Did you or any one for you in 1896 make application to the Commission to the Five Civilized Tribes for citizenship in the Choctaw Nation? A No.
Q You have never been admitted to citizenship in the Choctaw Nation by the Choctaw tribal authorities, by this Commission or by the United States Court in Indian Territory? A Don't know.
Q Did you ever make any application before this time to either the Choctaw tribal authorities in Indian Territory or to the United States authorities? A I was here two years ago.
Q Is that the only time? A That is all.

The records of the Commission show that on January 31, 1899, application was made at Philadelphia, Mississippi, to the Commission to the Five Civilized Tribes for the identification of this applicant as a Mississippi Choctaw, his name appearing upon Mississippi Choctaw Card Field No. 195, also upon page 60 of the schedule of Mississippi Choctaws which accompanied the report of March 10, 1899, of the Commission to the Five Civilized Tribes to the Secretary of the Interior as to the identity of Choctaw Indians residing in Mississippi claiming rights in the Choctaw lands under the provisions of the fourteenth article of the treaty of Dancing Rabbit Creek, being No. 670 thereon.

Lem Billey---2.

Q Do you want to make application now for identification as a Mississippi Choctaw? A Yes.

Q Do you claim your rights as a beneficiary under the provisions of the fourteenth article of the treaty of Dancing Rabbit Creek?

A Yes.

Q Did you ever receive any benefits as a Choctaw Indian? A No, never did.

Q Did any of your ancestors ever receive any benefits as a Choctaw Indian? A Don't know.

Q Were any of your ancestors living here in the old Choctaw Nation in Mississippi and Alabama in 1830 when the treaty of Dancing Rabbit Creek was made? A Don't know.

Q Do you know whether any of them were recognized members of the Choctaw tribe of Indians at that time? A Don't know.

Q Did any of your ancestors move from the old Choctaw Nation in Mississippi and Alabama out to the new Choctaw Nation in Indian Territory when the main body of the Choctaws moved out there between the years 1833 and 1838. A Don't know.

Q Did any of your ancestors within six months after the treaty of Dancing Rabbit Creek was ratified signify to the United States Indian Agent for the Choctaws here in Mississippi their intention to remain here and become citizens of the United States? A Don't know.

Q Did any of your ancestors ever claim or receive any land in Mississippi as beneficiaries under the provisions of the fourteenth article of the treaty of Dancing Rabbit Creek? A Don't know.

Q Do you know the names of any of your grandparents? A No, don't know.

Q Are there any additional statements you want to make in support of your application? A No.

Q Have you any documentary evidence, affidavits, written testimony of any description, copies of records, deeds or patents, or any proper papers showing that any of your ancestors were recognized members of the Choctaw tribe of Indians in 1830, or that any of them complied or attempted to comply with the provisions of the fourteenth article of the treaty of Dancing Rabbit Creek or ever received any benefits under that article of that treaty? A No.

This applicant is to all appearances a full blood Indian. He does not speak the English language, his examination having been conducted entirely through a sworn Choctaw interpreter.

The decision of the Commission as to the application made by you at this time for identification as a Mississippi Choctaw will be determined at the earliest possible date and report of the same made to the Secretary of the Interior conformable to the provisions of the twenty first section of the act of Congress of June 28, 1898, and a copy of the same will be mailed to you at your post office address as given in your testimony.

H.C.Risteen, having been first duly sworn, upon his oath states: That as stenographer to the Commission to the Five Civilized Tribes he reported in full all proceedings had in the above entitled cause on the 4th day of May, 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes of said proceedings on said date.

H.C. Risteen

Subscribed and sworn to before me at Meridian, Mississippi, this 20th day of May, 1901.

[Signature]
Notary Public.

C. W.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application of Lem Billey, for
identification as a Mississippi Choctaw. M.C.R.2048.

D E C I S I O N .

It appears from the record herein that application for
identification as a Mississippi Choctaw was made to this Commission
on May 4, 1901, by Lem Billey for himself, under the following
provision of the act of Congress approved June 28, 1898 (30 Stats.,
495):

"Said Commission shall have authority to determine the
identity of Choctaw Indians claiming rights in the Choctaw
lands under article fourteen of the treaty between the United
States and the Choctaw Nation, concluded September twenty-
seventh, eighteen hundred and thirty, and to that end may
administer oaths, examine witnesses and perform all other acts
necessary thereto and make report to the Secretary of the
Interior."


From the evidence submitted in support of said application
it appears that the applicant is a full blood Mississippi Choctaw
Indian.

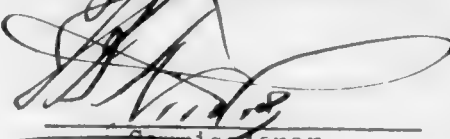
Section forty-one of the act of Congress entitled "An Act
to ratify and confirm an agreement with the Choctaw and Chickasaw
tribes of Indians, and for other purposes" approved July 1, 1902,
(32 Stats., 641) and ratified by the Choctaw and Chickasaw Nations
September 25, 1902, provides as follows:

"The application of no person for identification as a Mississippi Choctaw shall be received by said Commission after six months subsequent to the date of the final ratification of this agreement and in the disposition of such applications all full blood Mississippi Choctaw Indians and the descendants of any Mississippi Choctaw Indians whether of full or mixed blood who received a patent to land under the said fourteenth article of the said treaty of eighteen hundred and thirty who had not moved to and made bona fide settlement in the Choctaw-Chickasaw country prior to June twenty-eighth, eighteen hundred and ninety-eight, shall be deemed to be Mississippi Choctaws, entitled to benefits under article fourteen of the said treaty of September twenty-seventh, eighteen hundred and thirty, and to identification as such by said Commission, but this direction or provision shall be deemed to be only a rule of evidence and shall not be invoked by or operate to the advantage of any applicant who is not a Mississippi Choctaw of the full blood, or who is not the descendant of a Mississippi Choctaw who received a patent to land under said treaty, or who is otherwise barred from the right of citizenship in the Choctaw Nation, all of said Mississippi Choctaws so enrolled by said Commission shall be upon a separate roll."

It is, therefore, the opinion of this Commission that Lem Billey should be identified as a Mississippi Choctaw, and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.



Chairman.


Commissioner.


Commissioner.

Muskogee, Indian Territory,

JUL 8 1903


COMMISSIONER.

COMMISSIONERS

TAMM BIXBY,
THOMAS B. NEEDLES,
C. R. BRECKINRIDGE,
W. E. STANLEY.

ALLISON L. AYLESWORTH,
SECRETARY

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

REFER IN REPLY TO THE FOLLOWING

M.C.R. 2048

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, July 8, 1903.

Lem Billey,

Tucker, Mississippi.

Dear Sir:

Inclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered July 8, 1903, identifying you as a Mississippi Choctaw Indian under the provisions of Section 41 of the Act of Congress approved July 1, 1902 (32 Stat., 641).

If you remove to the Choctaw-Chickasaw country, Indian Territory, before January 8, 1904, you will have six months from that date, or until July 8, 1904, within which to make proof of such removal and settlement at the office of the Commission at Atoka, Choctaw Nation, or Tishomingo, Chickasaw Nation.

Respectfully,


Commissioner in Charge.

Registered.

Enc. 2048.

COPY.

M. T. T. 2048

Muskogee, Indian Territory, July 6, 1903.

Mansfield, McMurray & Cornish,
Attorneys for Choctaw and Chickasaw Nations,
South McAlester, Indian Territory.

Gentlemen:

Inclosed herewith you will find a copy of the decision of the Commission, rendered July 3, 1903, identifying Len Dille as a Mississippi Choctaw Indian under the provisions of Section 11 of the Act of Congress approved July 1, 1902 (32 Stats., 641).

You are hereby advised that you will be allowed fifteen days from the date hereof in which to file with this Commission such protest as you desire to make against the action of the Commission in identifying the said Len Dille as a Mississippi Choctaw, and make satisfactory proof of service of said protest upon the applicant herein.

If you fail to file such protest within the time allowed, the name of the applicant herein will be placed upon the schedule of duly identified Mississippi Choctaws now being prepared by this Commission.

Respectfully,

Yours truly,

T. B. Hootches.

Commissioner in Charge.

Registered.

Enc. 2048.

L-F 7
64641-14
H K W

CONF.

2142

Allotment of Lem
Billey, deceased
Mississippi Choctaw.

W

AUG 4 1914.

The Honorable

The Secretary of the Interior.

Sir:

I have the honor to transmit herewith the testimony and other papers relating to the issuance of patents covering the allotment of Lem Billey, a deceased Mississippi Choctaw Indian, whose approved roll number is 1921.

Under date of July 19, 1913, the Department concurred in the recommendation of this office that, in view of the ex parte affidavit filed by Minnie Billey, the widow of Lem Billey, in her own behalf and in behalf of her child, as heirs of said Lem Billey, and also in view of the failure of Commissioner Wright to obtain her testimony in the matter, the case be remanded to the Commissioner to the Five Civilized Tribes with instructions to obtain the deposition of Minnie Billey concerning the continuous residence of her deceased husband in the Choctaw-Chickasaw country, Oklahoma, during the period of three years. Under date of July 20, 1913, this office so instructed the said Commissioner, directing him to afford Mrs. Billey every opportunity to submit her deposition and such other evidence in the matter as she might be able to produce.

Commissioner Wright has reported under date of June 8, 1914, in compliance with the foregoing instructions. He transmits with this report copies of depositions of the widow and several disinterested parties in her favor, and also a joint letter of Mr. P. J. Hurley and Mr. Buford Bond, National Attorneys for the Choctaw and Chickasaw Nations, respectively, dated June 5, 1914, wherein they express the opinion that patent should be issued for the allotment selected by Lem Billey, for the reason that the evidence shows clearly that after residing upon his allotment for more than two years, the decedent returned to Mississippi temporarily and with no intention whatever of abandoning his residence and allotment in the Choctaw Nation, but on the contrary with the distinct and avowed intention of returning thereto as soon as his health and financial condition would permit.

This case appears to be similar to that of Joe Baptiste, Jr., wherein the Department on November 21, 1910, approved the favorable recommendation of this office dated November 19, 1910, on the decision of the Commissioner to the Five Civilized Tribes rendered July 14, 1910, holding that a patent should issue to Joe Baptiste, Jr., for the reason that he had established proof of constructive residence for a sufficient period to entitle him to the allotment under the provisions of law contained in Sections 41 and 42 of the Act of

July 1, 1902 (32 Stat., 641).

Some of the testimony in the present case would seem to show that Lem Billey, when he returned to Mississippi in December, 1905, or October, 1906, did so with the intention of abandoning his claim in the Choctaw Nation. Such testimony, however, though given by disinterested parties, is that generally of persons who saw Lem Billey only occasionally and at times when his physical condition was so poor that there seemed to be small hope for his recovery. At such times it would seem but natural that he would have little to say about the prospect of his returning to the Choctaw Nation. A letter dated November 21, 1913, addressed to the Commissioner to the Five Civilized Tribes by the Acting Field Clerk, William H. Van Dorn, states that on November 17, 1913, he took the deposition of Smith Williams of Wardville, Oklahoma, who averred positively that about four years from the time Lem Billey came to Oklahoma he went back to Mississippi, stating that he was "going back to get cured up"; that he lived on his allotment during the entire four years he spent in Oklahoma and improved same until after his first wife's death; that before he left he had become so crippled with rheumatism that he was obliged to give up and return to his native place.

The sworn depositions of George Polk of Heshoba

County, Mississippi, and of Melissa Polk and Billy Jackson of Choctaw County, Oklahoma, none of whom has any interest in the outcome of this case, all set forth the fact that they fully understood it to be the intention of the decedent to return to Choctaw County as soon as he was physically and financially able to do so. The deposition of the widow, Minnie McMillan, is also included among the enclosures of this letter.

In view of the foregoing testimony and the facts set forth therein, and in further view of the opinion of the Office in its letter of April 5, 1910, in the case of Joseph Baptiste, Jr., that the terms "continuously reside" and "continuous bona fide residence", as used in Sections 42 and 44 of the Act of July 1, 1902, should be held to mean continuous legal residence or domicile and should not be limited to the sense of actual physical presence, and in further view of the Department's decision of November 21, 1910, in favor of Joseph Baptiste, Jr., this Office is of the opinion that the allotment has not been forfeited and, therefore, recommends that authority be granted for the issuance of patents for the allotment in question in the name of Lem Billey and for the delivery of said patents to the proper representative of his estate, after they have been approved by the Department and properly recorded.

2142

The papers in the case are enclosed herewith.

Very respectfully,

(Signed) E. B. Meritt
Assistant Commissioner.

7-21-WJD

Approved: Aug. 7-1914

(Signed) E. B. Sweeney,
Assistant Secretary.

For Identification as a Mississippi Choctaw.

Date MAY 4 1911

Name Lem Billy

Age 21 Blood Full

Post Office, Tucker, Miss.

Father: Billy (dead)

Mother: Te-cherbee (dead)

Claims through both parents.

(Claims for himself alone)
 See Miss. Choct. card
 Field No 195 Testimony of
 Children: 1/31/49.)

Stenographer

H.C. Ristun

10111
14076

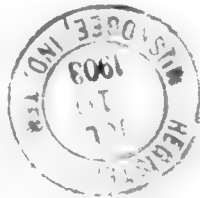


Department of the Interior.

Commission to the Five Civilized Tribes,
MUSKOGEE, IND. TER.

OFFICIAL BUSINESS.

Penalty for private use, \$300.





FOR IDENTIFICATION
MISSISSIPPI

R.2048

Lem Billey

Choctaw MCR 2049

Adam Brokeshoulder

(OK-alh-nah-nubbee)

MCR 2049

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.

The record herein is in the matter of the application of Adam
Brokeshoulder (Ok-lah-nah-nubbee) for identification as a Mississippi
Choctaw, M. C. R.2049

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application of Adam Brokeshoulder
(Ok-lah-nah-nubbee) for identification as a Mississippi Choctaw.

M. C. R. 2049.

I N D E X	Page
Original application of Adam Brokeshoulder (Ok-lah-nah-nubbee) for identification as a Mississippi Choctaw,	1
Additional testimony of Adam Brokeshoulder (Ok-lah-nah-nubbee) taken before the Commission July 18, 1901,	3
Additional testimony of Adam Brokeshoulder (Ok-lah-nah-nubbee) taken before the Commission April 10, 1902,	5
Decision of the Commission identifying Adam Brokeshoulder (Ok-lah-nah-nubbee) as a Mississippi Choctaw,	8

Department of the Interior,
Commission to the Five Civilized Tribes,
Philadelphia, Mississippi, May 4, 1901.

In the matter of the application of Adam Brokeshoulder for identification as a Mississippi Choctaw. Said Adam Brokeshoulder, having been first duly sworn, upon his oath states as follows:

Examination by the Commission.

- Q What is your name? A Adam Brokeshoulder.
Q What is your age? A Seventy.
Q What is your post office address? A Toles, Mississippi.
Q How long have you lived there? A All my life.
Q Always lived in Mississippi? A Yes.
✓ Q What is your father's name? A Brokeshoulder.
Q Choctaw name? A Al-o-ma-tubbee.
✓ Q Full blood? A Yes sir.
Q Is he dead? A Yes sir, he died; I was just big enough to recollect he died.
✓ Q What was your mother's name? A I aint big enough to recollect my mother's name.
Q She is dead? A Yes sir.
✓ Q Was she a full blood? A Yes.
✓ Q Are you a full blood? A Yes sir.
✓ Q Claim through both parents? A Yes sir.
Q Have your parents through whom you claim your right to identification as a Mississippi Choctaw ever been recognized in any manner or enrolled as members of the Choctaw tribe of Indians by the Choctaw tribal authorities or by the authorities of the United States? A They went there, but I don't know whether they were enrolled or not.
Q Your wife is dead? A Yes sir.
Q You haveno children? A No.
Q Not under twenty one? A No.
Q Is your name on any of the tribal rolls of the Choctaw Nation in Indian Territory? A No sir, I don't know.
Q Have you ever made application to the Choctaw tribal authorities in Indian Territory to be enrolled as a member of the tribe? A
A I don't know.
Q Did you, or anyone for you, in 1896, under the Act of Congress of June 10, 1896, make application to the Commission to the Five Civilized Tribes for citizenship in the Choctaw Nation? A I sent my name, but I wasn't admitted.
Q Have you ever made application before this time to either the Choctaw tribal authorities, or to the authorities of the United States to be admitted or enrolled as a citizen of the Choctaw Nation? A Yes sir, two years ago.

The records of the Commission show that on January 30, 1899, Adam Brokeshoulder, appeared before the Commission at Philadelphia, Mississippi, and made application for identification as a Mississippi Choctaw, his name appearing upon Mississippi Choctaw card, Field Number 160, also, upon page number 55 of the Schedule of Mississippi Choctaws which accompanied the report of March 10, 1899, of the Commission to the Five Civilized Tribes to the Secretary of the Interior as to the identity of Choctaw Indians residing in Mississippi, claiming rights in the Choctaw lands under the provisions of the Fourteenth Article of the Treaty of Dancing Rabbit Creek, being Number 549 thereon.

Adam Brokeshoulder, #2.

- Q Do you now appear before the Commission to be identified as a Mississippi Choctaw? A Yes sir.
- Q Do you claim your right as a beneficiary under Article Fourteen of the Treaty of 1830? A Yes sir.
- Q Have you ever received any benefits as a Choctaw Indian? A No sir.
- Q Have your ancestors ever received any benefits as Choctaw Indians? A They may have, but I don't know.
- Q Do you know who did? A No sir.
- Q What was the name of your ancestor or ancestors who were residents of the old Choctaw Nation in Mississippi and Alabama, and acknowledged members of the Choctaw tribe in 1830, when the Treaty of Dancing Rabbit Creek was entered into? A I don't know.
- Q Did any of your ancestors remove from the territory occupied by the Choctaw tribe in Mississippi and Alabama to the present Choctaw Nation in Indian Territory at the time of the removal of the other members of the Choctaw tribe of Indian between the years 1833 and 1838? A I don't know.
- Q Didn't your father go to the Territory? A No sir, he died here.
- Q Didn't your grand father go? A I don't know.
- Q Did any of your ancestors go to the United States Indian Agent here in Mississippi within six months after the ratification of the treaty of 1830, and tell him they wanted to stay here in Mississippi and become citizens of the state of Mississippi? A I don't know.
- Q Have any of your ancestors ever claimed or received any land in Mississippi under Article Fourteen of the Treaty of 1830? A No.
- Are there any additional statements you want to make in support of your claim? A Yes, I want to get benefit as Choctaw Indian.
- Q Have you any documentary evidence, affidavits, written testimony of any description, copies of records, deeds or a tents, or any other proper papers showing that any of your ancestors were in the year 1830, when the Treaty of Dancing Rabbit Creek was made, recognized members of the Choctaw tribe of Indians, or that any of them ever complied or attempted to comply with the provisions of the Fourteenth Article of the Treaty of 1830, or ever received any benefits under that article of that treaty? A No.

(This applicant has the appearance and all the characteristics of a full blood Choctaw Indian; he speaks the Choctaw language, and although his examination was heard in the English language, he is not skilled in the speaking of the English language.)

The decision of the Commission as to the application made by you at this time for identification as a Mississippi Choctaw will be determined at the earliest possible date, and a report of same made to the Secretary of the Interior conformable to the provisions of the Twenty First Section of the Act of Congress of June 28, 1898, and a copy of the same will be mailed to you at your post office address as given in your testimony.

B.S. Streit, having been first duly sworn, upon his oath states that as stenographer to the Commission to the Five Civilized Tribes, he reported in full all proceedings had in the above entitled cause on the 4th day of May 1901, and that the above and foregoing is a full, true and correct translation of his stenographic notes of said proceedings upon said date.

Subscribed and sworn to before me at Meridian, Mississippi, this 3rd day of June 1901.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Meridian, Mississippi, July 18, 1901.

In the matter of the application of Adam Brokeshoulder for identification as a Mississippi Choctaw, M.C.R.--2049.

Adam Brokeshoulder, having been first duly sworn, upon his oath states as follows:

Examination by the Commission:

- Q What is your name? A Adam Brokeshoulder?
Q What is your age? A Over seventy years.
Q What is your post office address? A Toles, Kemper county, Mississippi.
Q Are you a full blood Choctaw Indian? A Yes.
Q Did you come before the Commission at Philadelphia, Mississippi, May 4, 1901, to be identified as a Mississippi Choctaw? A Yes.
Q At that time you did not tell the Commission about your brother, Ah-to-bo-tubbee and your brother Ah-chuck-mish-stubbee? A No.
Q You did not think about it then? A No.
Q Which was the older of the two brothers? A Ah-chuck-mish-stubbee was older.
Q How much older? A Ah-chuck-mish-stubbee about eight years older. I was the youngest boy.
Q How much older was Ah-to-bo-tubbee than you? A About three or four years older.
Q Do you know as a matter of fact whether they received any land or money or scrip from the government under article fourteen of the treaty of 1830? A I don't know.
Q What was your father's name? A A-le-ma-tubbee.
Q What was your mother's name? A I don't know anything about that.
Q Do you know anything more about this matter? A No.

The records in the possession of the Commission show, that on page 690, of the record of the proceedings in the Court of Claims, in the case of the Choctaw Nation of Indians vs the United States, No. 12742, in a report of Commissioners Claiborne and Graves, Case No. 331, Al-o-macha, head of a family, and children, Ah-chuck-mish-stubbee (the same name Adam Brokeshoulder gives as one of his older brothers), and Ah-to-be-tubbee (the only difference in this name from that given by Adam Brokeshoulder as another brother is that he gives the name as Ah-to-be-tubbee), as claimants under article fourteen of the treaty of 1830. This is one of a number of cases in which judgments were prepared by Commissioners Claiborne & Graves awarding scrip to the claimants, but the judgments were not signed, and Messrs Tyler Gaines and Rush, their successors in office, confirmed the judgments in this as well as the other cases on May 29, 1845. Ah-to-be-tubbee was under ten years of age at the time of the treaty of 1830, and Adam Brokeshoulder, the applicant, states that his brother, whose name he gives as Ah-to-bo-tubbee, was three years older than himself. The Commission is uncertain whether this is the family of the applicant, but there is a very strong coincidence.

H.C.Risteen/having been first duly sworn, upon his oath states:

Adam Brokeshoulder-----2.

That as stenographer to the Commission to the Five Civilized Tribes he reported in full all proceedings had in the above entitled cause on the 18th day of July 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes of said proceedings on said date.

H. R. Ristman

Subscribed and sworn to before me at Meridian, Mississippi, this 29th day of July, 1901.

[Signature]

Notary Public.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
Toles, Mississippi, April 10th, 1902.

Additional testimony in the matter of the application of Adam Brokeshoulder for identification as a Mississippi Choctaw, M.C.R. 2049.

Said Adam Brokeshoulder, being first duly sworn, testified as follows:-
(Oscar Billey, official interpreter)

Examination by the Commission.

- Q What's your name? A Ok-lah-nah-nubbee.
Q Have you an English name? A Adam Brokeshoulder.
Q How old are you? A I don't know exactly, I guess seventy or seventy-one.
Q Did you ever hear of the treaty of Dancing Rabbit Creek? A Yes.
Q Were you living when that treaty was made? A I don't know whether I was or not.
Q What's your postoffice address? A Toles.
Q Are you the Adam Brokeshoulder who appeared before the Commission at Meridian, Mississippi, on the 4th day of last May and made application for identification as a Mississippi Choctaw? A Yes.
Q Do you remember when some Commissioners were down here in Mississippi along in the forties and held a session at old Yazoo Village in the edge of Neshoba County about seven or eight miles from here? A Yes.
Q Were you there? A Yes, I was there.
Q About how old were you then? A I don't know how old I was.
Q You weren't grown? A No, I was just a little boy.
Q Did any of your relatives appear before the Commission at that time? A Yes.
Q How many of them and who? A I had one brother and one sister was there.
Q What were their names? A Ish-tah-a-mah, that was my sister.
Q What was your brother's name? A Ah-to-bo-tubbee.
Q Which was the older? A Ish-tah-a-mah.
Q Did you have any ~~ix~~ other brothers living at that time? A I had another brother who died just a short time before the Commissioners held the session at Yazoo Village but I think his name was given in to them--his name was Ah-chuk-mish-tubbee.
Q Was he older than Ish-tah-a-mah? A Yes.
Q What was your father's name? A Alo-ma-tubbee.
Q Was he ever called Alo-ma-cha? A No, never did hear that.
Q How long before these Commissioners held their session at Yazoo Village was it that your father died? A I don't know how long it was, I don't remember--I was a little boy then.
Q Was he living when the treaty was made--your father? A Yes, he was living then.
Q Do you know whether his name was given in by your brother at Yazoo Village? A I don't know if my brother did.
Q Were you present when your brother and sister gave in their names before the Commissioners? A Yes, I was right there and heard when my brother and sister gave in their names.
Q Did they give in your name at that time? A No.

Adam Brakeshoulder--2

Q Why didn't they give in your name? A I heard that if anyone was born since treaty, at Yazoo Village they didn't give in name--I reckon that's the reason my name wasn't given in, cause I was born since then. The Commissioners would have the family all take a seat before their table and only children who were living at the time the treaty was made were put there and had applications made for them.

Q Did your brother or sister get any scrip after these Commissioners left here a while? A If they did I don't know it. They went out to the new Nation and never did come back.

Q How long after the Commissioners were in session at Yazoo Village was it that your brother and sister went out to the new nation? A I don't remember how long it was but I think it was little over a year.

On page 569 of Volume 1 of the record of the Court of Claims in case No. 12742, entitled the Choctaw Nation of Indians vs the United States, appears the case of A-lo-ma-cha, being No. 331, it appearing that at the time the treaty was made he had living with him two children over ten years of age, namely Ah-chuck-mish-tubbee and Ish-tah-a-mah, and one child under ten years of age, namely Ah-to-be-tubbee; that at the time the treaty was made they lived on the Southeast quarter of Section 4, Township 9, Range 14 East. The claim of A-lo-ma-cha was passed upon favorably by the Commissioners appointed under the act of Congress approved August 23, 1842, and their decision affirmed by the Secretary of War.


Q Do you now where your father lived at the time the treaty was made? A Yes, I think I do--he told me he was living right ~~near~~ close to where I am living now and had been living there some time before the treaty was made.

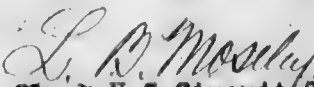
The applicant lives, if not upon Sec. 4, T'p. 9, Range 14 East, within a mile thereof. While there is a discrepancy in the last syllable of the name of his father and the name of the head of the family in case No. 331, the names of the children of this man, A-lo-ma-cha are identical with the names of the older brothers and sisters of this applicant and there can be little doubt that this is his family. He is to all appearances a full blood Indian, speaks and understands the Choctaw language and has the appearance of being at least 70 years of age.

Ira S. Niles, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes he reported in full all proceedings had in the above entitled cause, heard at Teles, Mississippi, April 10th, 1902, and that the above and foregoing is a

Adam Brokeshoulder--3

full, true and correct transcript of his stenographic notes taken
in said proceedings on said date.


Subscribed and sworn to before me this the 16th day of April, 1902,
at Meridian, Mississippi.


Clerk U.S. Circuit Court, Southern
District of Mississippi.

By 

Deputy.

Cert.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application of Adam Brokeshoulder
(Ok-lah--nah-nubbee) for identification as a Mississippi Choctaw,
M. C. R. 2049.

D E C I S I O N .

It appears from the record herein that application for identification as a Mississippi Choctaw was made to this Commission on May 4, 1901, by Adam Brokeshoulder (Indian name Ok-lah-nah-nubbee) for himself, under the following provision of the act of Congress approved June 28, 1898 (30 Stats., 495):

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto and make report to the Secretary of the Interior."

From the evidence submitted in support of said application it appears that the applicant is a full blood Mississippi Choctaw Indian .

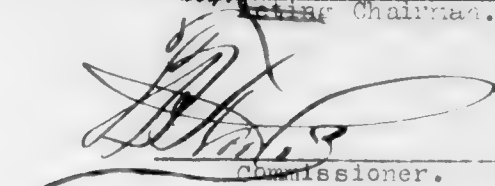
Section forty-one of the act of Congress entitled "An Act to ratify and confirm an agreement with the Choctaw and Chickasaw tribes of Indians, and for other purposes" approved July 1, 1902, (32 Stats., 641) and ratified by the Choctaw and Chickasaw Nations September 25, 1902, provides as follows:

"The application of no person for identification as a Mississippi Choctaw shall be received by said Commission after six months subsequent to the date of the final ratification of this agreement and in the disposition of such applications all full blood Mississippi Choctaw Indians and the descendants of any Mississippi Choctaw Indians whether of full or mixed blood who received a patent to land under the said fourteenth article of the said treaty of eighteen hundred and thirty, who had not moved to and made bona fide settlement in the Choctaw-Chickasaw country prior to June twenty-sixth, eighteen hundred and ninety-eight, shall be deemed to be Mississippi Choctaws, entitled to benefits under article fourteen of the said treaty of September twenty-seventh, eighteen hundred and thirty, and to identification as such by said Commission, but this direction or provision shall be deemed to be only a rule of evidence and shall not be invoked by or operate to the advantage of any applicant who is not a Mississippi Choctaw of the full blood, or who is not the descendant of a Mississippi Choctaw who received a patent to land under said treaty, or who is otherwise barred from the right of citizenship in the Choctaw Nation, all of said Mississippi Choctaws so enrolled by said Commission shall be upon a separate roll."

It is, therefore, the opinion of this Commission that Adam Brokeshoulder (Ok-lah-nah-nubbee) should be identified as a Mississippi Choctaw and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.


Chairman.


Commissioner.


Commissioner.

Muskogee, Indian Territory.

APR 2, 1903

M.C.R. 2049.

COPY.

Muskogee, Indian Territory, April 27, 1903.

Mansfield, McMurray & Cornish,
Attorneys for the Choctaw and Chickasaw Nations,
South McAlester, Indian Territory.

Gentlemen:

Enclosed herewith you will find a copy of the decision of the Commission rendered April 27, 1903, identifying Adam Broke-shoulder (Ok-lah-nah-nubbee) as a Mississippi Choctaw Indian under the provisions of the forty-first section of the act of Congress approved July 1, 1902 (32 Stats.641).

You are hereby advised that you will be allowed fifteen days from the date hereof in which to file with this Commission such protest as you desire to make against the action of the Commission in identifying the said Adam Brokeshoulder (Ok-lah-nah-nubbee) as a Mississippi Choctaw, and make satisfactory proof of service of said protest upon the applicant herein.

If you fail to file such protest within the time allowed, the name of the applicant herein will be placed upon the schedule of duly identified Mississippi Choctaws now being prepared by this Commission.

Respectfully,

(SIGNED).

Tamc Birby.
Chairman.

Registered
Enclosure 2049.

M C R
2725 - 2724
2049 - 1861

Muskogee, Indian Territory, May 4, 1903.

J. W. Gillett,
Meridian, Mississippi.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 29th ultimo, in which you ask if the following persons "will be entitled to land in Territory:"

Geo. Bull and wife,
Tom Morris,
Selie Bull (daughter of John Bull),
Adam Brokeshoulder,
Willie Willis,
Vaughans, (John and whole connection.

In reply you are informed that the Commission has not up to the present time rendered any decision relative to the right of George Bull and Tom Morris to be identified as Mississippi Choctaws. As soon as a decision is rendered they will be duly notified of the action of the Commission.

It does not appear from our records that any person by the name of Selie Bull is an applicant to this Commission for identification as a Mississippi Choctaw.

There are several persons on our records by the name of Willie Willis, applicants for identification as Mississippi Choctaws, and the Commission is unable from your letter to determine which one you refer to.

On April 27, 1903, the Commission rendered its decision

J W G 2

identifying John Vaughn and Adam Brokesoulder as Mississippi Choctaws entitled to allotment in the lands of the Choctaw and Chickasaw Nations, and on the same date notice to that effect was furnished the attorneys for the Choctaw and Chickasaw Nations.

If at the expiration of fifteen days from April 27, 1903, no protest has been filed by the attorneys for the Choctaw and Chickasaw Nations against the identification of the above named applicants, their names will be placed upon a schedule of duly identified Mississippi Choctaws now being prepared by this Commission.

Respectfully,

Chairman.

M.C.R. 2049.

COPY.

Muskogee, Indian Territory, May 3, 1903.

Adam Brokenshoulder (Ok-lah-nah-nubbee),

Toles, Mississippi.

Dear Sir:

Enclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered April 27, 1903, identifying you as a Mississippi Choctaw Indian under the provisions of Section 41 of the Act of Congress approved July 1, 1902, (32 Stats., 641).

If you remove to the Choctaw-Chickasaw country, Indian Territory, before October 27, 1903, you will have six months from that date, or until April 27, 1904, within which to make proof of such removal and settlement at the office of the Commission at Atoka, Choctaw Nation, or Tishomingo, Chickasaw Nation.

Respectfully,

RECORDED

Tammie Blount
Chairman.

Registered.

Enc. 2049.

Muskogee, Indian Territory, November 28, 1904.

Adam Brokeshoulder,
c/o Jim Brokeshoulder,
Ardmore, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 21st instant, requesting a copy of your testimony given at the time you made application for identification as a Mississippi Choctaw.

In reply there are herewith enclosed you copies of your testimony taken at Philadelphia, Mississippi, April 11, 1901; at Meridian, Mississippi, July 18, 1901; and at Toles, Mississippi, April 10, 1902.

Respectfully,

Commissioner in Charge.

D.C. #18883.

C O P Y

G.R.

DEPARTMENT OF THE INTERIOR, LLB
Washington.

DIRECT

I.T.D. 7536-1904.

April 12, 1905.

2575-1905.

2577- "

L R S

Commission to the Five Civilized Tribes,

Muskogee, Indian Territory.

Gentlemen:

For use in consideration for a motion for a review filed in the Mississippi Choctaw case of James Breakshoulder et al., M.C.R. 1635, you are requested to transmit direct to the Department the transcript of the testimony of Adam Breakshoulder (Ok-lah-nah-nubbee) taken for his identification as a full-blood Mississippi Choctaw on April 21, 1903, his name appearing upon the identified partial roll of Mississippi Choctaws approved by the Acting Secretary of the Interior January 13, 1905, opposite roll No. 933, identified No. 1657, as 70 years of age, male, full blood.

An early compliance with this request is desired.

Respectfully,

THOMAS. RYAN

Acting Secretary.

D.C. #18883.

C O P Y

G.R.

DEPARTMENT OF THE INTERIOR, LLB
Washington.

DIRECT
I.T.D. 7536-1904.
2575-1905.
2577- "

April 12, 1905.

L R S

Commission to the Five Civilized Tribes,
Muskogee, Indian Territory.

Gentlemen:

For use in consideration for a motion for a review filed in the Mississippi Choctaw case of James Broakshoulder et al., M.C.R.1635, you are requested to transmit direct to the Department the transcript of the testimony of Adam Broakshoulder (Ok-lah-nah-nubbee) taken for his identification as a full-blood Mississippi Choctaw on April 21, 1903, his name appearing upon the identified partial roll of Mississippi Choctaws approved by the Acting Secretary of the Interior January 13, 1905, opposite roll No. 933, identified No. 1657, as 70 years of age, male, full blood.

An early compliance with this request is desired.

Respectfully,

THOS. RYAN

Acting Secretary.

Muskogee, Indian Territory, April 18, 1905.

The Honorable,

The Secretary of the Interior.

Sir:

In compliance with the request contained in departmental letter of April 12, 1905 (I T D 7536-1904, 2575-1905, 2577-1905), there are herewith transmitted, direct, copies of the testimony of Adam Brokeshoulder (Ok-lah-nah-nubbee) given before this Commission on May 4, 1901, at Philadelphia, Mississippi; on July 18, 1901, at Meridian, Mississippi; and on April 10, 1902, at Toles Mississippi, in the matter of his application for identification as a Mississippi Choctaw.

Respectfully,

Chairman.

DIRECT.

McM 18/1

Page 7

No

For Identification as a Mississippi Choctaw.

Date May 4. 1901

Name Adam Brokechouder
(OK-tah-nah-nubbee)

Age 70 Blood full

Post Office, Toles, Miss.

Father: Brokechouder f.b. d
(alomatubbee)

Mother: _____ f.b. d

Claims through both parents.

See O.K.C. Card filed No.
160

~~Children:~~

appears for self
alone

Stenographer

R. S. Street

No. _____

For Identification as a Mississippi Choctaw.

Tales Miss.

Date

APR 10 1902

Name

Adam Brokeholder

N.C.R. 2049.

Age

Blood

Post Office,

Father:

Additional testimony

Mother:

of Adam Brokeholder

Claims through taken at Tales

Mississippi

Children:

Stenographer

J. S. Niles.

MISSISSIPPI, CHOCTAW .

R. 204

Sam Brokeshoulder

(all lah-nah-metee)

2-4-9

II

DECE

1903

Choctaw MCR 2050

Sam B. Martin

MCR 2050

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.

The record herein is in the matter of the application of
Sam B. Martin, et al., for identification as Mississippi Choctaws.

M. C. R. 2050.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application of Sam B. Martin, et al.,
for identification as Mississippi Choctaws, M. C. R. 2050

I N D E X

	Page
Original application of Sam. B. Martin, et al., for identification as Mississippi Choctaws,	1
Copy of the testimony of Sallie Philip, mother of the wife of the applicant herein, taken before the Commission, June 29, 1901,	4
Decision of the Commission identifying Sam B. Martin, et al. as Mississippi Choctaws,	9

Department of the Interior,
Commission to the Five Civilized Tribes,
Philadelphia, Mississippi, May 4, 1901.

In the matter of the application of Sam B. Martin for the identification of himself and wife as Mississippi Choctaws.

Sam B. Martin, having been first duly sworn, upon his oath states as follows:

Examination by the Commission.

- Q What is your name? A Sam B. Martin.
Q What is your age? A 29.
Q What is your post office address? A Toles, Mississippi.
Q How long have you lived at Toles? A About eight years.
Q Where did you live before that? A Neshoba.
Q Always lived in Mississippi? A Yes sir.
Q What is your father's name? A John Martin.
Q Full blood? A Yes sir.
Q Is he living? A Dead.
Q What is your mother's name? A Sealy.
Q Is she dead? A Yes sir.
Q Are you a full blood? A Yes sir.
Q You claim through both parents? A Yes sir.
Q Have your parents through whom you claim your right to identification as a Mississippi Choctaw, ever been recognized in any manner or enrolled as members of the Choctaw tribe of Indians by the Choctaw tribal authorities or by the authorities of the United States? A No sir.
Q Are you married? A Yes sir.
Q What is your wife's name? A Winnie.
Q Full blood? A Yes sir.
Q How old is Winnie? A Twenty eight.
Q When were you married to her? A About eight years.
Q Here in Neshoba County? A In Kemper.
Q You make application for her? A Yes sir.
Q What was her father's name? A Sam Phillip.
Q What is her mother's name? A Sallie.
Q Both full bloods? A Yes sir.
Q She is a full blood? A Yes sir.
Q Is Sam Phillip living? A No.
Q Is Sallie living? A Yes.
Q She claims through both parents? A Yes sir.
Q Have your wife's parents, through whom you claim for her the right to identification as a Mississippi Choctaw, ever been recognized in any manner or enrolled as members of the Choctaw tribe of Indians either by the Choctaw tribal authorities or by the authorities of the United States? A No, I reckon not.
Q Have you any children? A No.
Q Is your name, or your wife's name, on any of the tribal rolls of the Choctaw Nation? A No.
Q Have you ever made application to the Choctaw tribal authorities for enrollment as a Choctaw Indian in Indian Territory? A No sir.
Q Did you, or any one for you, or for your wife, in 1896, under the Act of Congress of June 10, 1896, make application to the Commission to the Five Civilized Tribes for citizenship in the Choctaw Nation? A No sir.
Q Have you ever made application prior to this time to either the Choctaw tribal authorities or to the authorities of the United States to be admitted or enrolled as a member of the Choctaw tribe

Sam B. Martin, et al., #2.

A Yes sir, two years ago.

The records of the Commission show that on January 31, 1899, this applicant appeared before the Commission at Philadelphia, Mississippi, and made application for the identification of himself and his wife, Winnie, as Mississippi Choctaws, their names appearing upon Mississippi Choctaw Card, Field Number, 238; also, upon page 66 of the Schedule of Mississippi Choctaws, which accompanied the report of March 10, 1899, of the Commission to the Five Civilized Tribes to the Secretary of the Interior as to the identity of Choctaw Indians residing in Mississippi, claiming rights in the Choctaw lands under the provisions of the Fourteenth Article of the Treaty of Dancing Rabbit Creek, being numbers 823 and 824 respectively, thereon

- Q Except the application you made two years ago, is this the first application you have made? A Yes sir.
- Q Is it now your purpose to make application for identification as Mississippi Choctaws for yourself and wife? A Yes sir.
- Q Do you claim your rights as beneficiaries under Article Fourteen of the Treaty of 1830? A Yes sir.
- Q Have you or your wife ever received any benefits as Choctaw Indians? A No.
- Q Have your ancestors, or your wife's ancestors ever received any benefits as Choctaw Indians? A No.
- Q Do you know the names of your ancestors or your wife's ancestors who were recognized members of the Choctaw tribe of Indians in 1830? A No sir.
- Q Have you any evidence showing that such ancestors were recognized members of the Choctaw Nation in 1830? A No sir.
- Q Did any of your ancestors or your wife's ancestors remove from the Territory occupied by the Choctaw tribe of Indians in Mississippi and Alabama, and go to the Indian Territory between the years 1833 to 1838? A No sir.
- Q Did any of your ancestors, or your wife's ancestors, within six months after the treaty of 1830 was ratified, go to the United States Indian Agent in Mississippi and tell him they wanted to stay here and take land in Mississippi and not go to the Territory
- A No, I don't know.
- Q Have any of your ancestors, or your wife's ancestors ever claimed or received any land in Mississippi as beneficiaries under Article Fourteen of the Treaty of 1830? A I don't know.
- Q Are there any additional statements you want to make in support of your application? A No sir.
- Q Have you any documentary evidence, affidavits, written testimony of any description, copies of records, deeds or patents, or any other proper papers, showing that any of your ancestors, or any of your wife's ancestors were in 1830, when the Treaty of Dancing Rabbit Creek was made, recognized members of the Choctaw tribe of Indians, or that any of them ever complied or attempted to comply with the provisions of the Fourteenth Article of the Treaty of 1830, or ever received any benefits under that article of that treaty? A No sir.

(This applicant has all the appearances and every characteristics of a full blood Choctaw Indian; he speaks the Choctaw language, and, although his examination was conducted in English, yet his knowledge of the English language is not perfect.)

Sam B. Martin, et al., #2.

The decision of the Commission with reference to the application made by you at this time for the identification of yourself and wife as Mississippi Choctaws will be determined at the earliest possible date, and a report of the same made to the Secretary of the Interior conformable to the provisions of the Twenty First section of the Act of Congress of June 28, 1898, and a copy of the same will be mailed to you at your post office address as given in your testimony.

R.S. Streit, being first duly sworn, upon his oath states that as stenographer to the Commission to the Five Civilized Tribes, he reported in full all proceedings had in the above entitled cause on the 4th day of May, 1901, and that the above and foregoing is a full, true and correct translation of his stenographic notes of said proceedings upon said date.

R.S. Streit

Subscribed and sworn to before me at Meridian, Mississippi, this 3rd day of June 1901.

[Signature]
Notary Public.

2722

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Meridian, Mississippi, June 29, 1901.

In the matter of the application of Sallie Philip for identification as a Mississippi Choctaw.

Sallie Philip, having been first duly sworn, upon her oath testifies as follows, through Inham Johnston, official interpreter:

Examination by the Commission:

- Q What is your name? A Sallie Philip.
Q What is your age? A Forty seven.
Q What is your post office address? A Eunice, Mississippi.
Q Where have you lived all your life? A In Mississippi.
Q In what counties? A Neshoba and Kemper.
Q How long have you lived in Kemper county? A Five years.
Q And before that time you lived all your life in Neshoba County?
A Yes sir.
Q What is your father's name? A Jackson.
Q Was he a full blood Indian? A Yes, full blood Choctaw.
Q Is he living or dead? A Dead.
Q Is your mother living or dead? A Dead.
Q What was her name? A Polly Jackson.
Q Was she a full blood Choctaw Indian? A Yes.
Q Are you a full blood Choctaw Indian? A Yes.
Q Do you claim your Choctaw blood through both your father and mother? A Yes.
Q Have your parents through whom you claim your right to identification as a Mississippi Choctaw ever been recognized in any manner or enrolled as members of the Choctaw tribe of Indians by the Choctaw tribal authorities or the United States authorities in Indian Territory? A No.
Q Are you married? A No, husband dead.
Q What was your husband's name? A Sam Philip.
Q Was he a full blood Choctaw Indian? A Yes.
Q Have you any children under twenty one years of age and unmarried that you want to make application for now? A Only one.
Q What child is that? A Tom.
Q How old is Tom? A Nineteen years old.
Q Two years ago you had two children, Simon, a son, and Lillie, a daughter,—did you have a child named Tom then? A I didn't go to Philadelphia; my children went---Simon went.
Q Did Simon give Tom's name? A No.
Q Did Tom go by any other name A He applied for himself at Philadelphia.

The records of the Commission show that Tom Philip, the son of this applicant, appeared before the Commission at Meridian, Mississippi, June 25, 1901, and made application for identification as a Mississippi Choctaw.

- Q Have you any other children besides Tom that are under twenty one years of age and unmarried? A No.
Q You just make application for yourself? A Yes sir.

Callie Philli; ----2.

Q Is your name on any of the Choctaw tribal rolls in Indian Territory? A No.

Q Have you ever made application to the Choctaw tribal authorities for citizenship in the Choctaw Nation? A No.

Q Did you ever make application for citizenship in the Choctaw Nation to the Commission to the Five Civilized Tribes under the act of Congress of June 10, 1898? A No.

Q Have you ever been admitted to citizenship in the Choctaw Nation by either the Choctaw tribal authorities, the Commission to the Five Civilized Tribes or by the United States Court in Indian Territory? A No.

Q Have you ever made application before this to either the Choctaw tribal authorities or the authorities of the United States to be admitted or enrolled as a citizen of the Choctaw Nation? A Yes, made application two years ago.

The records of the Commission show that application was made before the Commission to the Five Civilized Tribes, at Philadelphia, Mississippi, February 2, 1899, for the identification of this applicant and her children, Simon and Willie, as Mississippi Choctaws, their names appearing upon Mississippi Choctaw Card, Field No. 304; also upon page 78 of the schedule of Mississippi Choctaws which accompanied the report of the Commission to the Five Civilized Tribes of March 10, 1899, to the Secretary of the Interior, as to the identity of Choctaw Indians residing in Mississippi claiming rights in the Choctaw lands under the provisions of the fourteenth article of the treaty of Dancing Rabbit Creek, being roll Nos. 106, 1067 and 1068, respectively thereon.

Q Simon has appeared before the Commission and made application for himself? A Yes.

Q And Lillie is now married? A Yes.

Q Is it now your purpose to make application for identification as a Mississippi Choctaw? A Yes.

Q Do you claim your rights as a beneficiary under article fourteen of the treaty of 1830? A Yes.

Q Have you or your ancestors ever received any benefits as Choctaw Indians? A Don't know.

Q Can you give the names of any of your ancestors who were residents of the old Choctaw Nation in Mississippi and Alabama and who were acknowledged members of the Choctaw tribe of Indians in 1830 when the treaty of Dancing Rabbit Creek was entered into between the Choctaw Nation and the United States government? A Father's father got land here in Mississippi.

Q What was his name? A Ah-to-ble-cha.

Q Did your father have any brothers and sisters? A Yes.

Q Give me the names of one of his brothers or sisters? A Ho-ta-mah.

Q Was that a brother or sister of your father? A Sister of my father.

Q Give me the name of another brother or sister of your father?

A Pal-ah-mo-tubbe.

Q Was that a brother or sister of your father? A Brother.

Q What was your father's Choctaw name? A Don't know.

Sallie Philip---3.

Q Do you know any other brothers or sisters of your father?
 A Pis-ah-ha-mah.
 Q What relation was Pis-ah-ha-mah to your father? A Sister.
 Q Do you remember any other brothers or sisters? A No.
 Q Do you remember the name Goom-son-tah-tamah? A Yes.
 Q Who was that? A Father's sister.
 Q Were all of your father's brothers and sisters older than him?
 A Yes, father was younger.
 Q Did your grandfather, Ah-to-ble-cha ever have any land in Mississippi which he received from the government of the United States under article fourteen of the treaty of 1830? A Yes.
 Q Is that land still in the possession of some member of that family?
 A Yes.
 Q Who lives on it now? A Fille-ma-tamah.
 Q Is that a man or a woman? A Woman.
 Q Whose daughter is she? A Pal-lah-mo-tubbe.
 Q Did you ever see the deed or patent to this land? A Yes.
 Q Where is it? A In Neshoba.
 Q Who has it? A White man.
 Q Do you know his name? A Henry Mars.
 Q What place in Neshoba does he live? A About eight miles this side of Philadelphia.
 Q How does Henry Mars happen to have the deed of land that the government gave to Ah-to-ble-cha? A Don't know.

The Commission would like to have you get the patent and send it to the Commission, so that it may be filed with your application and made part of the record. It is the best evidence in your case and therefore important to your application, and the Commission would advise you to file it. When the case is settled, the deed will be returned to you by the Commission.

Q Do you know how much land was given to your grandfather, Ah-to-ble-cha by the government under article fourteen of the treaty of Dancing Rabbit Creek? A One mile square.

On page 552 of Volume one of the record in the case of the Choctaw Nation of Indians vs. The United States, Court of Claims No. 12742, Case No. 321 is that of Ah-to-ble-cha; said record shows that Ah-to-ble-cha had at that time one minor child over ten years of age, named H-ta-mah, and three minor children under ten years of age named Goom-son-tah-tamah, Pal-lah-mo-tubbe and Pis-ah-ha-mah. That land was awarded by Commissioners Tyler, Gaines and Rush, appointed under the act of Congress of August 21, 1842, as follows:

Ah-to-ble-cha-----	Sec. 20, Twp. 10, Range 13 E.
H-ta-mah-----NW 1/8---	" 19 " 10, " 13 E.
Goom-son-tah-tamah--NW 1/4---	" 21 " 10, " 13 E.
Pal-lah-mo-tubbe---NW 1/4---	" 21 " 10, " 13 E.
Pis-ah-ha-mah-----NW 1/4---	" 22 " 10, " 13 E.

Under the head of remarks in this case, appears the following notation: "Comrs. allow the claim, and as the land occupied by claimant has not been disposed of by gov't they award it to him"

Q Give the names of all your children who are now living? A Simon.

1
Gallie Philip-----4.

Q Is your son Simon the same Simon Philip who made application to the Commission to the Five Civilized Tribes for identification as a Mississippi Choctaw at Philadelphia, Mississippi, February 2, 1899, and whose name appears upon Mississippi Choctaw Card, Field No. 304? A Yes.

Q And did Simon make application again for identification as a Mississippi Choctaw before the Commission at Meridian, Mississippi, June 15, 1901? A Yes.

Q Give me the name of your daughter? A Lillie, now the wife of William O. Tookole.

Q Is this daughter, Lillie, who is now the wife of William O. Tookole, the identical Lillie Philip for whom application was made for identification as a Mississippi Choctaw at Philadelphia, Mississippi, February 2, 1899, and whose name appears upon Mississippi Choctaw Card, Field No. 304? A Yes.

Q And did William O. Tookole, now the husband of Lillie, make application for her identification as a Mississippi Choctaw at Meridian, Mississippi, June 15, 1901? A Yes.

Q Give me the name of any other of your children? A Tom.

Q Is your son Tom the same Tom Philip who made application for identification as a Mississippi Choctaw before the Commission to the Five Civilized Tribes at Philadelphia, Mississippi, on January 30, 1899, for identification as a Mississippi Choctaw, and whose name appears upon Mississippi Choctaw Card, Field No. 183? A Yes.

Q Did Tom Philip make application for identification as a Mississippi Choctaw before the Commission at Meridian, Mississippi, June 15, 1901? A Yes.

Q Is Winston Philip your son? A Yes.

Q Is he the same Winston Philip who made application for identification as a Mississippi Choctaw before the Commission at Philadelphia, Mississippi, January 31, 1899, and whose name appears upon Mississippi Choctaw Card, Field No. 259? A Yes sir.

Q And he is the same Winston Philip who is here now to make application on this date before the Commission? A Yes.

Q Have you any other children besides these you have given? A Sam Winnie Martin.

Q Is she the wife of Sam B. Martin? A Yes.

Q Is this daughter of yours, Winnie Martin, the same Winnie Martin for whom application was made for identification as a Mississippi Choctaw before the Commission to the Five Civilized Tribes at Philadelphia, Mississippi, January 31, 1899, by Sam B. Martin, her husband, and whose name appears on Mississippi Choctaw Card, Field No. 238? A Yes.

Q Did Sam B. Martin also appear at Meridian, Mississippi, May 4, 1901 and make application for himself and his wife, Winnie, your daughter? A Yes.

Q Was Ah-to-ble-cha, who was a beneficiary under article four term of the treaty of 1830, and who received land from the United States Government as such beneficiary, the great grandfather of Winston Philip, Tom Philip, Lillie Tookole, Simon Philip and Winnie Martin, about whom you have just testified? A Yes.

Q Are there any additional statements you want to make in support of your application? A No.

Q Have you any documentary evidence, affidavits, written testimony of any description, copies of records, deeds or patents, or any other proper papers showing that your ancestors were ever recognized members of the Choctaw tribe of Indians in Mississippi in 1830 or that

1
Sallie Philip-----5.

they ever complied or attempted to comply with the provisions of the fourteenth article of the treaty of 1830 or ever received any benefits under that article of that treaty? A No.

Q Will you endeavor to introduce in evidence in your case the patent that was issued by the United States government to your grand father Ah-to-bie-cha under article fourteen of the treaty of 1830?
A Yes.

Thirty days time from the date hereof is allowed applicant in which to introduce documentary evidence in support of this application, and particularly the original patent issued by the United States government to her grandfather, Ah-to-bie-cha.

This applicant has the appearance and all characteristics of a full blood Choctaw Indian. She speaks the Choctaw language and has no knowledge of the English language, her evidence having been taken through a sworn Choctaw interpreter. She is a grand daughter of Ah-to-bie-cha, who was her father's father, her father's English name being Jackson; she does not know her father's Indian name, but she claims a compliance on the part of her ancestors with the provisions of article fourteen of the treaty of 1830 because of the fact that a patent was issued to her grandfather, Ah-to-bie-cha, to land in Washoba County, and that land was also granted to her father's brothers and sisters to-wit: Ha-ta-mah, Goom-con-ta-tamah, Pal-lah-mo-tubba and Pis-ah-ha-mah.

The decision of the Commission as to your application for identification as a Mississippi Choctaw will be determined at the earliest possible date and a report of the same made to the Secretary of the Interior conformable to the provisions of the twenty first section of the act of Congress of June 28, 1896, and a copy of such decision will be mailed to you at your post office address as given in your testimony at this time.

H. G. Risteen, having been first duly sworn, upon his oath states: That as stenographer to the Commission to the Five Civilized Tribes he reported in full all proceedings had in the above entitled cause on the 29th day of June, 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes of said proceedings on said date.

H. G. Risteen

Subscribed and sworn to before me at Meridian, Mississippi, this 5th day of July, 1901.

[Signature]
Notary Public.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.

Civil.
In the matter of the application of Sam B. Martin,
at al., for identification as Mississippi Choctaws,
M. C. R. 2050.

D E C I S I O N .

It appears from the record herein that application for identification as Mississippi Choctaws was made to this Commission on May 4, 1901, by Sam B. Martin for himself and his wife, Winnie Martin, under the following provision of the act of Congress approved June 28, 1898 (30 Stats., 495):

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto and make report to the Secretary of the Interior."

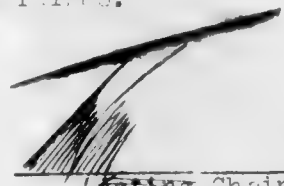
From the evidence submitted in support of said application it appears that both the applicants are full blood Mississippi Choctaw Indians.

Section forty-one of the act of Congress entitled "An Act to ratify and confirm an agreement with the Choctaw and Chickasaw tribes of Indians, and for other purposes" approved July 1, 1902, (32 Stats., 641) and ratified by the Choctaw and Chickasaw Nations September 25, 1902, provides as follows:

"The application of no person for identification as a Mississippi Choctaw shall be received by said Commission after six months subsequent to the date of the final ratification of this agreement and in the disposition of such applications all full blood Mississippi Choctaw Indians and the descendants of any Mississippi Choctaw Indians whether of full or mixed blood who received a patent to land under the said fourteenth article of the said treaty of eighteen hundred and thirty who had not moved to and made bona fide settlement in the Choctaw-Chickasaw country prior to June twenty-eighth, eighteen hundred and ninety-eight, shall be deemed to be Mississippi Choctaws, entitled to benefits under article fourteen of the said treaty of September twenty-seventh, eighteen hundred and thirty, and to identification as such by said Commission, but this direction or provision shall be deemed to be only a rule of evidence and shall not be invoked by or operate to the advantage of any applicant who is not a Mississippi Choctaw of the full blood, or who is not the descendant of a Mississippi Choctaw who received a patent to land under said treaty, or who is otherwise barred from the right of citizenship in the Choctaw Nation, all of said Mississippi Choctaws so enrolled by said Commission shall be upon a separate roll."

It is, therefore, the opinion of this Commission that Sam D. Martin and Winnie Martin should be identified as Mississippi Choctaws, and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

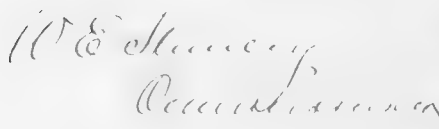

Acting Chairman.


Commissioner.


Commissioner.

Muskogee, Indian Territory

A. B. 17 1900


W. E. Hancey
Recording Secretary

COPY.

M.C.R.2050

Muskogee, Indian Territory, April 17, 1903.

Mansfield, McMurray & Cornish,

Attorneys for the Choctaw and Chickasaw Nations,
South McAlester, Indian Territory.

Gentlemen:

Enclosed herewith you will find a copy of the decision of the Commission rendered April 17, 1903, identifying Sam B. Martin and his wife, Winnie Martin, as Mississippi Choctaw Indians, under the provisions of the forty-first section of the act of Congress approved July 1, 1902, (32 Stats., 641).

You are hereby advised that you will be allowed fifteen days from the date hereof in which to file with this Commission such protest as you desire to make against the action of the Commission in identifying the said Sam B. Martin and his wife as Mississippi Choctaws, and make satisfactory proof of service of said protest upon the applicants herein.

If you fail to file such protest within the time allowed, the names of the applicants herein will be placed upon the schedule of duly identified Mississippi Choctaws now being prepared by this Commission.

Respectfully,

(SIGNED) *Tams Bixby.*

Chairman.

Registered.
Enc.: 2050.

M.C.R. 2050.

COPY.

Muskogee, Indian Territory, May 4, 1903.

Sam B. Martin,

Toles, Mississippi.

Dear Sir:

Enclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered April 17, 1903, identifying yourself and your wife, Winnie Martin, as Mississippi Choctaw Indians under the provisions of the Act of Congress approved July 1, 1902, (32 Stats., 641).

If you remove to the Choctaw-Chickasaw country, Indian Territory, before October 17, 1903, you will have six months from that date, or until April 17, 1904, within which to make proof of such removal and settlement at the office of the Commission at Atoka, Choctaw Nation, or Tishomingo, Chickasaw Nation.

Respectfully,

(SIGNED)

Tamc Bixby.

Chairman.

Registered.

Enc. 2050.

COPY

M.C.R. 2050.

Muskogee, Indian Territory, May 4, 1903.

Sam B. Martin,

Tolas, Mississippi.

Dear Sir:

Enclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered April 17, 1903, identifying yourself and your wife, Winnie Martin as Mississippi Choctaw Indians under the provisions of the Act of Congress approved July 1, 1902, (32 Stats., 641).

If you remove to the Choctaw-Chickasaw country, Indian Territory, before November 4, 1903, you will have six months from that date, or until May 4, 1904, within which to make proof of such removal and settlement at the office of the Commission at Atoka, Choctaw Nation, or Tishomingo, Chickasaw Nation.

Respectfully,

SIGNED

Tamm Dixby.

Chairman.

Registered.

Enc. 2050.

No

For Identification as a Mississippi Choctaw.

Date May 4. 1901

Name Sam B. Martin

Age 29 Blood full

Post Office, Toles, Miss.

Father: John Martin f.b. d

Mother: Sealy .. f.b. d

Claims through both parents

wife - Winnie .. f.b. 28

father - Sam Philippi f.b. d

Mother Lallie .. f.b. d.

~~Children.~~ Claims for self
and wife -

See M.C. Card filed No. 238

Stenographer R. J. Street.

Sam B. Martin, vol

HART

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COPY C-

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Choctaw MCR 2051

Jefferson Simpson

MCR 2051

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application of Jefferson Simpson,
et al., for identification as Mississippi Choctaws, M. C.R. 2051.

I N D E X

	Page
Original application of Jefferson Simpson, et al., for identification as Mississippi Choctaws,	1
Decision of the Commission identifying Jefferson Simpson, et al., as Mississippi Choctaws,	4

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES?
Philadelphia, Mississippi, May 4, 1901.

In the matter of the application of Jefferson Simpson for the identification of himself, his wife and four minor children as Mississippi Choctaws:

Jefferson Simpson, being first duly sworn, upon his oath testified as follows:

Examination by the Commission.

- Q What is your name? A Jefferson Simpson.
- Q What is your age? A 47.
- Q What is your post office address? A Tucker, Mississippi.
- Q How long have you lived at Tucker? A About 15 years.
- Q Were you born in Mississippi? A Yes sir.
- Q Always lived in Mississippi? A Yes sir.
- Q What is your father's name? A John Simpson.
- Q Is he a full blood? A Yes sir.
- Q What is your mother's name? A I don't know.
- Q Was she a full blood? A Yes sir.
- Q Is she dead? A Yes, dead long time.
- Q You claim through both parents? A Yes.
- Q Are you a full blood? A Yes.
- Q Were your parents, through whom you claim your right to identification as a Mississippi Choctaw, ever recognized in any manner or enrolled as members of the Choctaw tribe of Indians in Indian Territory, by the Choctaw tribal authorities or by the authorities of the United States? A No.
- Q Are you married? A Yes.
- Q What is your wife's name? A Sallie.
- Q Full blood? A Yes.
- Q How old is she? A 36.
- Q What is her father's name? A Jim Polk.
- Q Was he a full blood? A Yes.
- Q Living? A No, dead.
- Q What is her mother's name? A Mary.
- Q Full blood? A Yes.
- Q Living? A No dead.
- Q Your wife is a full blood? A Yes.
- Q And claims through both her parents? A Yes.
- Q When were you married to her? A About 1886.
- Q Have your wife's parents, through whom you claim for her the right to identification as a Mississippi Choctaw, ever been recognized in any manner or enrolled as members of the Choctaw tribe of Indians by the Choctaw tribal authorities or by the authorities of the United States? A I don't know.
- Q Have you children? A Yes.
- Q What are the names and ages of your children? A Marcelline, 18; Backus 7; Barnett, 5; Mary Corria, 1 month.
- Q Is Sallie the mother of these children? A Yes.
- Q Are you the father? A Yes.
- Q Are the children living with you at your home? A Yes.
- Q Have you any other children you want to make application for? A No.
- Q Were you married to your wife, Sallie, according to the Indian custom, or by license? A License.

Jefferson Simpson, et al., #2.

- Q You got a license from the Clerk of the Court? A Yes.
- Q Is your name, or the name of your wife, or children, on the tribal rolls of the Choctaw Nation in Indian Territory? A No.
- Q Have you ever made application to the Choctaw tribal authorities in Indian Territory for enrollment as a Choctaw for yourself, or your wife? A No.
- Q Did you, or any one for you and your wife and children make application in 1896 to the Commission to the Five Civilized Tribes for citizenship in the Choctaw Nation, under the Act of Congress of June 10, 1896? A No.
- Q Have you or your wife ever been admitted to citizenship in the Choctaw Nation, or your children, by any authorities, the Choctaw authorities or by the United States authorities? A No.
- Q Have you ever made application before this time to either the Choctaw tribal authorities or to the authorities of the United States to be admitted or enrolled as citizens of the Choctaw Nation? A Yes, two years ago.

The records of the Commission show that on January 30, 1899, Jefferson Simpson appeared before the Commission at Philadelphia, Mississippi, and made application for the identification of himself, his wife, and four minor children as Mississippi Choctaws; their names appearing upon Mississippi Choctaw Card, Field Number 125; also, upon the Schedule which accompanied the report of March 10, 1899, of the Commission to the Five Civilized Tribes to the Secretary of the Interior, as to the identity of Choctaw Indians residing in Mississippi, claiming rights in the Choctaw lands under the provisions of the Fourteenth Article of the Treaty of Dancing Rabbit Creek, being Numbers 444, 445, 446, 447, 448 and 449, respectively, thereon.

- Q Do you now come before the Commission to be identified as Mississippi Choctaws, you and your wife and children? A Yes.
- Q Do you claim your rights as beneficiaries under the provisions of the Fourteenth Article of the Treaty of 1830? A Yes.
- Q Have you or any of your ancestors ever claimed or received any benefits as Choctaw Indians? A No.
- Q Do you know the name of any of your ancestors, or your wives ancestors, who were recognized members of the Choctaw tribe of Indians in 1830? A No.
- Q Did any of your ancestors, or any of your wife's ancestors, remove from Mississippi and Alabama to the present Choctaw Nation in Indian Territory, between the years 1833 and 1838? A No sir.
- Q Did any of your ancestors, or your wife's ancestors, within six months after the Treaty of 1830 was ratified, tell the United States Indian Agent living in Mississippi, that they would like to remain in Mississippi and have land in this State, and not go to the Indian Territory? A I don't know.
- Q Did any of your ancestors, or your wife's ancestors, ever claim or receive any land in Mississippi under Article Fourteen of the Treaty of 1830? A No.
- Q Is there anything further you want to say in support of your claim? A Yes - - No, sir.
- Q Have you any documentary evidence, affidavits, written testimony of any description, copies of records, deeds or patents, or any other proper papers showing that any of your ancestors, or any of your wife's ancestors were, in the year 1830, when the Treaty

Jefferson Simpson, et al., #3.

of Dancing Rabbit Creek was made, recognized members of the Choctaw tribe of Indians, or that any of them ever complied or attempted to comply with the provisions of the Fourteenth Article of the Treaty of 1830, or ever received any benefits under that article of that treaty? A No.

(This applicant has the appearance and all the characteristics of a full blood Choctaw Indian; he speaks the Choctaw language, and speaks and understands the English language imperfectly; his knowledge, however, of the English language was sufficient to enable him to understand questions in English, and to give intelligent answers.)

The decision of the Commission as to the application made by you at this time for the identification of yourself and four minor children will be determined at the earliest possible date, and a report of same made to the Secretary of the Interior, conformable to the provisions of the Twenty First Section of the Act of Congress of June 28, 1898, and a copy of the same will be mailed to you to your post office address as given in your testimony.

R. S. Streit, being first duly sworn, upon his oath states that as stenographer to the Commission to the Five Civilized Tribes, he reported in full all proceedings had in the above entitled cause on the 4th day of May, 1901, and that the above and foregoing is a full, true and correct translation of his stenographic notes of said proceedings upon said date.

R. S. Streit

Subscribed and sworn to before me at Meridian, Mississippi, this 7th day of June 1901.

[Signature]
Notary Public.

C. W. L.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application of Jefferson Simpson
et al., for identification as Mississippi Choctaws, M.C.R.2051.

D E C I S I O N .

It appears from the record herein that application for identification as Mississippi Choctaws was made to this Commission on May 4, 1901, by Jefferson Simpson, for himself , his wife, Sallie Simpson, and his four minor children, Marcelline, Backus, Barnett and Mary Corria Simpson, under the following provision of the act of Congress approved June 28, 1898 (30 Stats., 495):

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto and make report to the Secretary of the Interior."

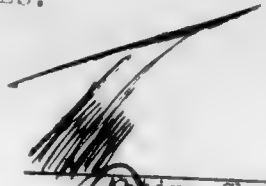
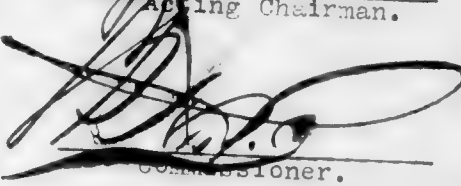

From the evidence submitted in support of said application it appears that all the applicants are full blood Mississippi Choctaw Indians.

Section forty-one of the act of Congress entitled "An Act to ratify and confirm an agreement with the Choctaw and Chickasaw tribes of Indians, and for other purposes" approved July 1, 1902, (32 Stats., 641) and ratified by the Choctaw and Chickasaw Nations September 25, 1902, provides as follows:

"The application of no person for identification as a Mississippi Choctaw shall be received by said Commission after six months subsequent to the date of the final ratification of this agreement and in the disposition of such applications all full blood Mississippi Choctaw Indians and the descendants of any Mississippi Choctaw Indians whether of full or mixed blood who received a patent to land under the said fourteenth article of the said treaty of eighteen hundred and thirty who had not moved to and made bona fide settlement in the Choctaw-Chickasaw country prior to June twenty-eighth, eighteen hundred and ninety-eight, shall be deemed to be Mississippi Choctaws, entitled to benefits under article fourteen of the said treaty of September twenty-seventh, eighteen hundred and thirty, and to identification as such by said Commission, but this direction or provision shall be deemed to be only a rule of evidence and shall not be invoked by or operate to the advantage of any applicant who is not a Mississippi Choctaw of the full blood, or who is not the descendant of a Mississippi Choctaw who received a patent to land under said treaty, or who is otherwise barred from the right of citizenship in the Choctaw Nation, all of said Mississippi Choctaws so enrolled by said Commission shall be upon a separate roll."

It is, therefore, the opinion of this Commission that Jefferson Simpson, Sallie Simpson, Marcelline Simpson, Backus Simpson, Barnett Simpson and Mary Corria Simpson should be identified as Mississippi Choctaws, and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.


Acting Chairman.

Commissioner.

Commissioner.

Muskogee, Indian Territory,

FEB 14 1903

Muskogee, Indian Territory, December 30, 1902.

Jefferson Simpson,
Tucker, Mississippi.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 17th instant, enclosing your affidavit to the birth of your infant child, Mary Coina Simpson, in the matter of her application for identification as a Mississippi Choctaw.

You ask when you shall go to the Territory to select your land.

In reply to your letter you are informed it appears from the records of the Commission that you are an applicant for the identification of yourself, your wife Sallie, and four minor children, as Mississippi Choctaws.

No decision or opinion has yet been reached in your case, but as soon as a decision is rendered you will be notified of the action of the Commission and of the forwarding of the record to the Secretary of the Interior.

Relative to the time within which you should move to the Choctaw Nation, Indian Territory, to select land, your attention is invited to the following provision of the act of Congress approved July 1, 1902, and ratified by the citizens of the Choctaw and Chickasaw Nations September 25, 1902:

J. 8. ----2.

"41. All persons duly identified by the Commission to the Five Civilized Tribes under the provisions of section 21 of the act of Congress approved June 28, 1898 (30 Stats., 495), as Mississippi Choctaws entitled to benefits under article 14 of the treaty between the United States and the Choctaw Nation concluded September 27, 1830, may, at any time within six months after the date of their identification as Mississippi Choctaws by the said Commission, make bona fide settlement within the Choctaw-Chickasaw country, and upon proof of such settlement to such Commission within one year after the date of their said identification as Mississippi Choctaws shall be enrolled as such Commission as Mississippi Choctaws entitled to allotment as herein provided for citizens of the tribes, subject to the special provisions herein provided as to Mississippi Choctaws, and said enrollment shall be final when approved by the Secretary of the Interior."

Your affidavit relative to the birth of your child, Mary Coira Simpson, born April 10, 1901, is herewith returned to you for the reason that on May 4, 1901, when you submitted your application for identification of yourself and family as Mississippi Choctaws, the name of your child, Mary Coira Simpson, one month old, was included in said application, and it is believed that the child named in your affidavit and this child are identical persons.

Respectfully,

Acting Chairman.

Enc.
R.F.E.100.

COPY.

M C R 2051

Muskogee, Indian Territory, February 21, 1903.

Manefield, McMurray & Cornish,
Attorneys for the Choctaw and Chickasaw Nations.
South McAlester, Indian Territory.

Gentlemen:

Enclosed herewith you will find a copy of the decision of the Commission rendered February 14, 1903, identifying Jefferson Simpson, his wife Sallie Simpson and minor children Marcelline, Backus, Barnett and Mary Corria Simpson as Mississippi Choctaw Indians under the provisions of the forty-first section of the act of Congress approved July 1, 1902 (32 Stats., 641).

You are hereby advised that you will be allowed fifteen days from the date hereof, in which to file with this Commission such protest as you desire to make against the action of the Commission in identifying the said Jefferson Simpson, his wife and children as Mississippi Choctaws, and make satisfactory proof of service of said protest upon the applicants herein.

If you fail to file such protest within the time allowed, the names of the applicants herein will be placed upon the schedule of duly identified Mississippi Choctaws now being prepared by this Commission.

Respectfully, ²⁻²¹⁻⁰³

Register
Enc. M C R 2051

Tame Bixby,
~~Chairman~~ Chairman.

COPY.

M.C.R. 2051

Muskogee, Indian Territory, March 11, 1903.

Jefferson Simpson,

Tucker, Mississippi.

Dear Sir:

Enclosed herewith you will find a copy of the decision of the commission to the Five Civilized Tribes, rendered February 14, 1903, identifying yourself, your wife, Sallie Simpson, and your minor children, Marcelline Simpson, Backus Simpson, Barnett Simpson and Mary Corria Simpson as Mississippi Choctaw Indians under the provisions of Section 41 of the Act of Congress approved July 1, 1902, (32 Stats., 641).

If you remove to the Choctaw-Chickasaw country, Indian Territory, before August 14, 1903, you will have six months from that date, or until February 14, 1904, within which to make proof of such removal and settlement at the office of the Commission at Atoka, Choctaw Nation, or Thisomingo, Chickasaw Nation.

Respectfully,

Tame Bixby.
Chairman.

Registered.

Enc. 2051

COMMISSIONERS

TAMM BIXBY,
THOMAS B. NEEDLES,
C. R. BRECKINRIDGE,
W. E. STANLEY.

ALLISON L. AYLESWORTH,
SECRETARY

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

REFER IN REPLY TO THE FOLLOWING

M C R 2051

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, April 9, 1903.

Jefferson Simpson

Ardmore, Indian Territory.

Dear Sir:

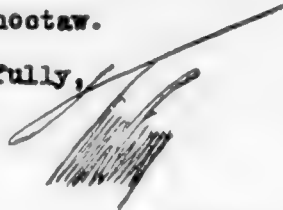
Receipt is hereby acknowledged of the affidavit of the mother, Sally Simpson, and that of the midwife, Rinie William, relative to the birth of Jennie Simpson, infant child of Jefferson and Sally Simpson, April 1, 1903.

Your attention is invited to the following provision of the act of Congress approved July 1, 1902, which was ratified by the citizens of the Choctaw and Chickasaw Nations September 25, 1902:

"The application of no person for identification as a Mississippi Choctaw shall be received by said Commission after six months subsequent to the date of the final ratification of this agreement."

Under the above legislation the Commission is now without authority to receive or consider the application of any person for identification as a Mississippi Choctaw.

Respectfully,



Chairman.

No

For Identification as a Mississippi Choctaw.

Date May 4, 1901

Name Jefferson Simpson

Age 47

Blood

full

Post Office, Tucker, Miss

Father: John Simpson f.b. d

Mother: don't know, f.b. d

Claims through both parents.

wife Follie - f.b. 36

"'s father, Jim Poer, f.b. d

"'s mother, Mary " f.b. d

Claims for wife, self &
children

Children:

Marcelline - 8

Backus 7

Barnett 5

Mary Corria 1. m

See M.C. Cas., filed No. 125

Stenographer R. D. Street -

Jefferson Simpson

205

COPY OF DECISION FORWARDED
APPLICANT

MAR 11 1903

2051

File



DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED

MAY 23 1903

A handwritten signature in dark ink, appearing to be "W. H. H.", is written over the "FILED" and "MAY 23 1903" stamps.

CHAIRMAN

6008

Department of the Interior.

Commission to the Five Civilized Tribes,

MUSKOGEE, IND. TER,

OFFICIAL BUSINESS

Penalty for private use, \$300.

TO
MR

Jefferson Simpson,

Adams, Indian Territory.

Choctaw MCR 2052

2052

John Simpson

MCR 2052

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.

The record herein is in the matter of the application of
John Simpson, et al., for identification as Mississippi Choctaws.

M. C. R. 2052.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application of John Simpson, et al.,
for identification as Mississippi Choctaws, M. C. R. 2052.

I N D E X

	Page
Original application of John Simpson, et al., for identification as Mississippi Choctaws,	1
Decision of the Commission identifying John Simpson, et al. as Mississippi Choctaws,	4

Department of the Interior,
Commission to the Five Civilized Tribes,
Philadelphia, Mississippi, May 4, 1901.

In the matter of the application of John Simpson for
the identification of himself and wife as Mississippi Choctaws.

John Simpson, being first duly sworn, upon his oath
states as follows:

Examination by the Commission.

- Q What is your name? A John Simpson.
Q What is your age? A 21.
Q What is your post office address? A Tucker, Mississippi.
Q Have you lived in Mississippi all your life? A Yes.
Q What is your father's name? A Louis Simpson.
Q Is he a full blood? A Yes.
Q Living? A Yes.
Q What is your mother's name? A I don't know, she died long time.
Q Full blood? A Yes.
Q Are you a full blood? A Yes.
Q You claim through both parents? A Yes.
Q Have your parents, through whom you claim your right to identification as a Mississippi Choctaw, ever been recognized in any manner or enrolled as members of the Choctaw tribe of Indians by the Choctaw tribal authorities or by the authorities of the United States? A No.
Q Are you married? A Yes.
Q What is your wife's name? A Emma.
Q Full blood? A Yes.
Q How old? A Eighteen.
Q What is her father's name? A Johnson Willis.
Q Full blood? A Yes.
Q Is he living? A Yes.
Q What is her mother's name? A I don't know; she dead.
Q Full blood? A Yes.
Q Your wife claims through both her parents? A Yes.
Q Have you any children? A No.
Q When were you married to your wife? A September 7, 1900.
Q Were you married by the Choctaw law or by license? A License.
Q You got the license from the Clerk? A Yes.
Q Have your wife's parents, through whom you claim for her the right to identification as a Mississippi Choctaw, ever been recognized in any manner or enrolled as members of the Choctaw tribe of Indians, by the Choctaw tribal authorities or by the authorities of the United States? A I don't know.
Q You have no children? A No.
Q Is your name, or the name of your wife on any of the tribal rolls of the Choctaw Nation in Indian Territory? A I don't know.
Q Have you ever made application to the Choctaw tribal authorities for yourself or your wife, in Indian Territory, to be enrolled as Choctaw Indians? A No.
Q Did you, or anyone for you, or her, in 1896, make application to the Commission to the Five Civilized Tribes for citizenship in the Choctaw Nation, under the Act of Congress of June 10, 1896?
A No.
Q Have you ever made application before this time to the Choctaw tribal authorities, or to the authorities of the United States for citizenship on enrollment in the Choctaw Nation? A My father

John Simpson, et al., #2.

appeared for me two years ago.

Q Did any one appear for your wife? A No.

Q Didn't John Willis appear for his daughter then? A I don't know.

The records of the Commission show that on January 31, 1899, the father of this applicant appeared before the Commission at Philadelphia, Mississippi, and made application of this applicant as a Mississippi Choctaw; his name appears upon Mississippi Choctaw Card, Field Number 183, also, upon the Schedule of Mississippi Choctaws, which accompanied the report of March 10, 1899, of the Commission to the Five Civilized Tribes to the Secretary of the Interior, as to the identity of Choctaw Indians residing in Mississippi, claiming rights in the Choctaw lands under the provisions of the Fourteenth Article of the Treaty of Dancing Rabbit Creek, being Number 160 thereon.

The records in possession of the Commission fail to show that any application was made by or in behalf of the wife of this applicant.

- Q Your purpose is now to make application for yourself and your wife for identification as Mississippi Choctaws? A Yes sir.
- Q You claim your rights as beneficiaries under the provisions of the Fourteenth Article of the Treaty of 1830? A Yes sir.
- Q Have you or your wife ever received any benefits as Choctaw Indians? A No.
- Q Did your ancestors, or your wife's ancestors, ever receive any benefits? A No.
- Q What are the names of your ancestors, or your wife's ancestors, who were residents of the old Choctaw Nation in Mississippi and Alabama, in the year 1830, when the Treaty of Dancing Rabbit Creek was made? A I don't know.
- Q Did your ancestors, or your wife's ancestors, remove from the territory occupied by the Choctaw Nation in Mississippi and Alabama to the present Choctaw Nation, in Indian Territory, at the time of the removal of the other members of the Choctaw tribe of Indians from 1833 to 1838? A I don't know.
- Q Did any of your ancestors, or your wife's ancestors, within six months after the Treaty of 1830 was ratified, tell the United States Indian Agent that they preferred to stay in Mississippi and become citizens of the States? A I don't know.
- Q Have any of your ancestors, or any of your wife's ancestors, ever claimed or received any land in Mississippi under Article Fourteen of the Treaty of 1830? A I don't know.
- Q Are there any additional statements you want to make in support of your application? A No.
- Q Have you any documentary evidence, affidavits, written testimony of any description, copies of records, deeds or patents, or any other proper papers, showing that any of your ancestors were, in the year 1830, when the Treaty of Dancing Rabbit Creek was made, recognized members of the Choctaw tribe of Indians, or that any of them ever complied or attempted to comply with the provisions of the Fourteenth Article of the Treaty of 1830, or ever received any benefits under that article of that Treaty? A No.

(This applicant has all the characteristics and appearance of a full blood Choctaw Indian; he speaks the Choctaw language, and has some knowledge of the English, sufficient to enable him to make intelligent replies to questions in English.)

John Simpson, et al., #3..

The decision of the Commission as to the application made by you at this time for the identification of yourself and your wife as Mississippi Choctaws, will be determined at the earliest possible date, and a report of same made to the Secretary of the Interior, conformable to the provisions of the Twenty First Section of the Act of Congress of June 28, 1898, and a copy of the same will be mailed to you to your post office address as given in your testimony.

R. S. Streit, being first duly sworn, upon his oath states that as stenographer to the Commission to the Five Civilized Tribes, he reported in fullall proceedings had in the above entitled cause on the 4th day of May, 1901, and that the above and foregoing is a full, true and correct translation of his stenographic notes of said proceedings upon said date.

R S Streit

Subscribed and sworn to before me at Meridian, Mississippi, this 8th day of June 1901.

[Signature]
Notary Public.

C.W.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application of John Simpson, et al.,
for identification as Mississippi Choctaws, M.C.R.2052

DECISION

It appears from the record herein that application for identification as Mississippi Choctaws was made to this Commission on May 4, 1901, by John Simpson for himself and his wife, Emma Simpson, under the following provision of the act of Congress approved June 28, 1898 (30 Stats., 495):

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto and make report to the Secretary of the Interior."

From the evidence submitted in support of said application it appears that both the applicants are full blood Mississippi Choctaw Indians.

Section forty-one of the act of Congress entitled "An Act to ratify and confirm an agreement with the Choctaw and Chickasaw tribes of Indians, and for other purposes" approved July 1, 1902, (32 Stats., 641) and ratified by the Choctaw and Chickasaw Nations September 25, 1902, provides as follows:

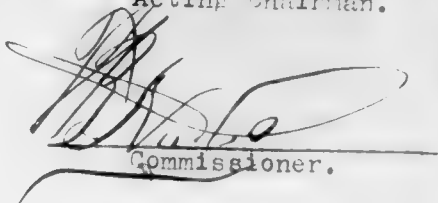
"The application of no person for identification as a Mississippi Choctaw shall be received by said Commission after six months subsequent to the date of the final ratification of this agreement and in the disposition of such applications all full blood Mississippi Choctaw Indians and the descendants of any Mississippi Choctaw Indians whether of full or mixed blood who received a patent to land under the said fourteenth article of the said treaty of eighteen hundred and thirty who had not moved to and made bona fide settlement in the Choctaw-Chickasaw country prior to June twenty-eighth, eighteen hundred and ninety-eight, shall be deemed to be Mississippi Choctaws, entitled to benefits under article fourteen of the said treaty of September twenty-seventh, eighteen hundred and thirty, and to identification as such by said Commission, but this direction or provision shall be deemed to be only a rule of evidence and shall not be invoked by or operate to the advantage of any applicant who is not a Mississippi Choctaw of the full blood, or who is not the descendant of a Mississippi Choctaw who received a patent to land under said treaty, or who is otherwise barred from the right of citizenship in the Choctaw Nation, all of said Mississippi Choctaws so enrolled by said Commission shall be upon a separate roll."

It is, therefore, the opinion of this Commission that John Simpson and Emma Simpson should be identified as Mississippi Choctaws, and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.



Acting Chairman.



Commissioner.



Commissioner.

Muskogee, Indian Territory,

Aug 14 1901

COPY.

Muskogee, Indian Territory, February 21, 1903.

Mansfield, McMurray & Cornish,
Attorneys for the Choctaw and Chickasaw Nations,
South McAlester, Indian Territory.

Gentlemen:

Enclosed herewith you will find a copy of the decision of the Commission rendered February 14, 1903, identifying John Simpson and wife, Emma Simpson, as Mississippi Choctaw Indians under the provisions of the forty-first section of the act of Congress approved July 1, 1902, (32 Stats., 641).

You are hereby advised that you will be allowed fifteen days from the date hereof, in which to file with this Commission such protest as you desire to make against the action of the Commission in identifying the said John Simpson and wife as Mississippi Choctaws, and make satisfactory proof of service of said protest upon the applicants herein.

If you fail to file such protest within the time allowed, the names of the applicants herein will be placed upon the schedule of duly identified Mississippi Choctaws now being prepared by this Commission.

Respectfully,

James D. Dixby.
Acting Chairman.

Registered.

Enc. MT. 63

M.C.R. 2052

Muskogee, Indian Territory, March 11, 1903.

John Simpson,

Tucket, Mississippi.

Dear Sir:-

Enclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered February 14, 1903, identifying yourself, and your wife Emma Simpson, as Mississippi Choctaw Indians under the provisions of section 41 of the act of Congress approved July 1, 1902 (32 Stats. 641).

If you remove to the Choctaw-Chickasaw country, Indian Territory, before August 14, 1903, you will have six months from that date, or until February 14, 1904, within which to make proof of such removal and settlement at the office of the Commission at Atoka, Choctaw Nation, or Tishomingo, Chickasaw Nation.

Respectfully,

James Dixby.

Chairman

(SIGNED)

Registered

Enclosure 2052

No

For Identification as a Mississippi Choctaw.

Date May 4. 1901

Name John Simpson

Age 21 Blood full

Post Office, Tucker, Miss.

Father: Louis Simpson, ^{fb.} lMother: — — ^{fb.} d

Claims through both parents

wife Emma. ^{fb.} 18father John Willis ^{fb.} lMother — — ^{fb.} d~~Children.~~ claims for

self & wife

See M.C. Card. filed No. 183

Stenographer

R. S. Streit.

John Simpson, et al.

COPY OF DECISION FORWARDED
APPLICANT

MAR 11 1903

Choctaw MCR 2053

Edna Davis

MCR 2053

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application of Edna Davis, et al.,
for identification as Mississippi Choctaws, M.C.R. 2053.

I N D E X

	Page
Original application of Edna Davis, et al., for identification as Mississippi Choctaws,	1
Decision of the Commission identifying Edna Davis, et al. as Mississippi Choctaws,	4

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.

Ques.
In the matter of the application of Edna Davis, et al.,
for identification as Mississippi Choctaws, M. C. R. 2053

D E C I S I O N .

It appears from the record herein that application for identification as Mississippi Choctaws was made to this Commission on May 4, 1901, by Edna Davis for herself and her two minor children, Linnie and Louella Davis, under the following provision of the act of Congress approved June 28, 1898 (30 Stats., 495):

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto and make report to the Secretary of the Interior."

From the evidence submitted in support of said application it appears that all the applicants are full blood Mississippi Choctaw Indians.

Section forty-one of the act of Congress entitled "An Act to ratify and confirm an agreement with the Choctaw and Chickasaw tribes of Indians, and for other purposes" approved July 1, 1902, (32 Stats., 641) and ratified by the Choctaw and Chickasaw Nations September 25, 1902, provides as follows:

"The application of no person for identification as a Mississippi Choctaw shall be received by said Commission after six months subsequent to the date of the final ratification of this agreement and in the disposition of such applications all full blood Mississippi Choctaw Indians and the descendants of any Mississippi Choctaw Indians whether of full or mixed blood who received a patent to land under the said fourteenth article of the said treaty of eighteen hundred and thirty who had not moved to and made bona fide settlement in the Choctaw-Chickasaw country prior to June twenty-eighth, eighteen hundred and ninety-eight, shall be deemed to be Mississippi Choctaws, entitled to benefits under article fourteen of the said treaty of September twenty-seventh, eighteen hundred and thirty, and to identification as such by said Commission, but this direction or provision shall be deemed to be only a rule of evidence and shall not be invoked by or operate to the advantage of any applicant who is not a Mississippi Choctaw of the full blood, or who is not the descendant of a Mississippi Choctaw who received a patent to land under said treaty, or who is otherwise barred from the right of citizenship in the Choctaw Nation, all of said Mississippi Choctaws so enrolled by said Commission shall be upon a separate roll."

It is, therefore, the opinion of this Commission that Edna Davis, Linnie Davis and Louella Davis should be identified as Mississippi Choctaws, and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.


Chairman.

Commissioner.


Commissioner.

Muskogee, Indian Territory,

APR 17 1909


in testimony

20331

Department of the Interior,
Commission to the Five Civilized Tribes,
Philadelphia, Mississippi, May 4, 1901.

In the matter of the application of Edna Davis, for the identification of herself and two minor children as Mississippi Choctaws.

Edna Davis, having been first duly sworn, upon her oath testified as follows: (Tom Tubbee, Official Interpreter.)

Examination by the Commission.

- Q What is your name? A Edna Davis.
Q What is your age? A 27.
Q What is your post office address? A Cushtusa, Mississippi.
Q Was your born in Mississippi? A Yes.
Q Always lived here? A Yes.
Q What was your father's name? A Thompson.
Q Full blood? A Yes.
Q Living? A Dead.
Q What is the mother's name? A Sallie Gibson.
Q Full blood? A Yes.
Q Were your parents, through whom you claim your right to identification as a Mississippi Choctaw, ever recognized in any manner of enrolled as members of the Choctaw tribe of Indians, by the Choctaw tribal authorities, or by the authorities of the United States? A I don't know.
Q Are you married? A Yes, husband dead.
Q What was your husband's name? A Ellis Davis.
Q Full blood? A Yes.
Q Dead? A Yes.
Q Have you any children? A Yes.
Q What is the name of the oldest? A Linnie.
Q How old is Linnie? A Six years.
Q What is the name of the next child? A Louella.
Q How old is Louella? A Four.
Q Any other children? A No.
Q Is Ellis Davis the father of these children? A Yes sir.
Q You are the mother? A Yes.
Q Were you married to Ellis Davis by the Choctaw custom? A License.
Q You got the license from the Clerk of the Court? A Yes, down here in Neshoba County.
Q Is your name, or the names of your children, on any of the tribal rolls of the Choctaw Nation in Indian Territory? A No.
Q Did you ever make application for yourself or any of your children to the Choctaw tribal authorities in Indian Territory to be enrolled? A No.
Q Did you, or anyone for you, and your children, in 1896, make application for citizenship in the Choctaw Nation, to the Commission to the Five Civilized Tribes, under the Act of Congress of June 10, 1896? A No.
Q Have you ever made application before this time to either the Choctaw tribal authorities to the authorities of the United States to be admitted or enrolled as a citizen of the Choctaw Nation? A Yes, two years ago.

Edna Davis, et al., #2.

The records of the Commission show that on February 1, 1899, this applicant appeared before the Commission at Philadelphia, Mississippi, and made application for the identification of herself and two minor children as Mississippi Choctaws; their names appearing upon Mississippi Choctaw Card, Field Number 283; also, upon the Schedule of Mississippi Choctaws, which accompanied the report of March 10, 1899, of the Commission to the Five Civilized Tribes to the Secretary of the Interior, as to the identity of Choctaw Indians residing in Mississippi claiming rights in the Choctaw lands under the provisions of the Fourteenth Article of the Treaty of Dancing Rabbit Creek, being Numbers 975, 976 and 977, respectively, thereon.

- Q Except two years ago, is this the first application you have ever made? A Yes.
- Q Is it now your purpose to make application for the identification of yourself and children as Mississippi Choctaws? A Yes.
- Q Do you claim your rights as beneficiaries under the provisions of Article Fourteen of the Treaty of 1830? A Yes.
- Q Have you ever received any benefits as a Choctaw Indian? A No.
- Q Have any of your ancestors ever received any benefits as Choctaw Indians? A No.
- Q What was the name of your ancestor, or ancestors, who were residents of the old Choctaw Nation in Mississippi and Alabama, and acknowledged members of the Choctaw tribe of Indians in 1830, when the Treaty of Dancing Rabbit Creek was entered into between the United States and the Choctaw tribe of Indians? A I don't know.
- Q Did any of your ancestors remove from the Territory occupied by the Choctaw Nation in Mississippi and Alabama to the present Choctaw Nation in Indian Territory, at the time of the removal of the other members of the tribe between the years 1833 and 1838? A I don't know.
- Q Did any of your ancestors, within six months after the ratification of the Treaty of 1830, appear before the United States Indian Agent and signify their intention to remain in Mississippi and become citizens of the States? A I don't know.
- Q Did any of your ancestors ever claim or receive any land in Mississippi as beneficiaries under Article Fourteen of the Treaty of 1830? A I don't know.
- Q Are there any additional statements you desire to make in support of your claim? A No.
- Q Have you any documentary evidence, affidavits, written testimony of any description, copies of records, deeds or patents, or any proper papers showing that any of your ancestors were in the year 1830, when the Treaty of Dancing Rabbit Creek was made, recognized members of the Choctaw tribe of Indians, or that any of them ever complied or attempted to comply with the provisions of the Fourteenth Article of the Treaty of 1830, or ever received any benefits under that article of that treaty? A No.

(This applicant has the appearance and all of the characteristics of a full blood Choctaw Indian; she speaks Choctaw and does not speak English, the questions and answers having been translated by a sworn Choctaw interpreter.)

The decision of the Commission as to the application made by you at this time for the identification of yourself and your two minor children will be determined at the earliest possible

Edna Davis, et al., #3.

date, and a report of same made to the Secretary of the Interior, conformable to the provisions of the Twenty First Section of the Act of Congress of June 28, 1898, and a copy of the same will be mailed to you to your post office address as given in your testimony.

R. S. Streit, being first duly sworn, upon his oath states that as stenographer to the Commission to the Five Civilized Tribes, he reported in full all proceedings had in the above entitled cause on the 4th day of May 1901, and that the above and foregoing is a full, true and correct translation of his stenographic notes of said proceedings upon said date.

R S Streit

Subscribed and sworn to before me at Meridian, Mississippi, this 8th day of June 1901.

[Signature]
Notary Public.

COPY.

M.C.R.2053.

Wuskogee, Indian Territory, April 17, 1903.

Mansfield, McMurray & Cornish,

Attorneys for the Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:

Enclosed herewith you will find a copy of the decision of the Commission rendered April 17, 1903, identifying Edna Davis and her minor children, Linnie Davis and Louella Davis, as Mississippi Choctaw Indians, under the provisions of the forty-first section of the act of Congress approved July 1, 1902, (32 Stat., 641).

You are hereby advised that you will be allowed fifteen days from the date hereof in which to file with this Commission such protest as you desire to make against the action of the Commission in identifying the said Edna Davis and children as Mississippi Choctaws, and make satisfactory proof of service of said protest upon the applicants herein.

If you fail to file such protest within the time allowed, the names of the applicants herein will be placed upon the schedule of duly identified Mississippi Choctaws now being prepared by this Commission.

Respectfully,

SIGNED, *Tame Bixby.*

Chairman.

Registered.
Enc.: 2053.

M.C. R. 2853

COPY

Muskogee, Indian Territory, May 4, 1903.

Edna Davis,

Cushtusa, Mississippi.

Dear Madam:

Enclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered April 17, 1903, identifying yourself and your minor children, Linnie Davis and Louella Davis as Mississippi Choctaw Indians under the provisions of Section 41 of the Act of Congress approved July 1, 1902, (32 Stat 641).

If you remove to the Choctaw-Chickasaw country, Indian Territory, before November 4, 1903, you will have six months from that date or until May 4, 1904, within which to make proof of such removal and settlement at the office of the Commission at Atoka, Choctaw Nation, or Tishomingo, Chickasaw Nation.

Respectfully,

Wm. D. Dyer
Chairman.

Registered.

Enc. 2853

No 2053

For Identification as a Mississippi Choctaw.

Date May 4. 1901

Name Edna Davis.

Age 27 - Blood full

Post Office, Cushtuna, Miss.

Father: Thompson f.b. d

Mother: Sallie Gibson f.b. l

Claims through both parents

Married

Ellis Davis f.b. d

Children:

Linnie (qui) - 6

Louella — 4

See McCand field No 283

Apples for self
and children.

Stenographer R. A. Street

R

Code. Pa. v. 1

Choctaw MCR 2054

Ben Gipson

MCR 2054

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.

The record herein is in the matter of the application of
Ben Gibson, et al., for identification as Mississippi Choctaws.

M. C. R. 2054.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application of Ben Gibson et al.
for identification as Mississippi Choctaws, M. C. R. 2054.

I N D E X

	Page
Original application of Ben Gibson, et al., for identification as Mississippi Choctaws,	1
Decision of the Commission identifying Ben Gibson, et al. as Mississippi Choctaws,	4

Department of the Interior,
Commission to the Five Civilized Tribes,
Philadelphia, Mississippi, May 4, 1901.

In the matter of the application of Ben Gibson for the identification of himself, his wife and four minor children as Mississippi Choctaws.

Ben Gibson, being first duly sworn, upon his oath testified as follows: (Tom Tubbee, Official Interpreter.)

Examination by the Commission.

- Q What is your name? A Ben Gibson.
- Q What is your age? A Forty seven years old.
- Q What is your post office address? A Cushtusa, Mississippi.
- Q How long have you lived there? A All my life.
- ✓ Q What is your father's name? A Gibson, Choctaw name, I-ton-i-le-tubbee.
- ✓ Q Full blood? A Yes.
- Q Is he dead? A Yes, dead long time.
- ✓ Q What is your mother's name? A My mother's name is Betsey Gibson.
- Q Is she dead? A Done dead.
- ✓ Q Full blood? A Yes.
- ✓ Q Are you a full blood? A Yes.
- Q You claim through both parents? A Yes.
- Q Have your parents, through whom you claim your right to identification as a Mississippi Choctaw, ever been recognized in any manner or enrolled as members of the Choctaw tribe of Indians by the Choctaw tribal authorities or by the authorities of the United States? A No.
- Q Did they go to the Territory? A Yes.
- Q When did they go? A I was little bit boy; I can't recollect.
- Q Were they enrolled there in Indian Territory? A No.
- Q Are you married? A Yes.
- ✓ Q What is your wife's name? A Sallie.
- ✓ Q Full blood? A Yes.
- Q How old is Sallie? A 48, I think.
- Q Older than you? A Yes, little.
- Q Do you make a claim for Sallie? A Yes.
- ✓ Q What is Sallie's father's name? A Jim Porter.
- ✓ Q Is he full blood? A Yes.
- Q Is he living? A Dead.
- Q What is the mother's name? A I don't know.
- ✓ Q Was she a full blood? A Yes.
- Q Living or dead? A Dead.
- ✓ Q Were they, and your wife, all full bloods? A Yes.
- Q When were you married to your wife? A Twenty four years.
- Q Married by the Choctaw custom? A Yes sir.
- Q Have you any children? A Yes.
- Q How many? A Four.
- Q What are their names and ages? A Mullen, 19; Lena, 17; Lulu, 14 and Sammon, 11.
- Q Are these children all living with you? A Yes.
- Q Is Sallie the mother? A Yes.
- Q Is your name, or the names of your wife or children, on any of tribal rolls of the Choctaw Nation in Indian Territory? A No.
- Q Have you, or your wife, ever made application for yourself and ~~and~~ Children to the Choctaw tribal authorities in Indian Territory to be enrolled as members of the tribe? A No.

Ben Gibson, et al., #2.

- Q Did you, or any one for you, or your wife or children, in 1896, make application for yourself, wife or children, to the Commission to the Five Civilized Tribes, for citizenship in the Choctaw Nation, under the Act of Congress of June 10, 1896? A No.
- Q Have you ever been admitted to citizenship, any of you, in the Choctaw Nation, by either the Choctaw tribal authorities or by the Commission to the Five Civilized Tribes, or by the United States Court in Indian Territory? A No.
- Q Have you ever made application before this time to either the Choctaw tribal authorities, or to the authorities of the United States to be admitted or enrolled as citizens of the Choctaw Nation? A Yes, two years ago.

The records of the Commission show that on January 31, 1899, Ben Gibson appeared before the Commission at Philadelphia, Mississippi, and made application for the identification of himself, his wife and four minor children as Mississippi Choctaws, their names appearing upon Mississippi Choctaw Card, Field Number 206; also, upon the Schedule of Mississippi Choctaws, which accompanied the report of March 10, 1899, of the Commission to the Five Civilized Tribes to the Secretary of the Interior as to the identity of Choctaw Indians residing in Mississippi, claiming rights in the Choctaw lands under the provisions of the Fourteenth Article of the Treaty of Dancing Rabbit Creek, being numbers 710, 711, 712, 713, 714 and 715, respectively, thereon.

- Q Is it now your purpose to make application for identification as Mississippi Choctaws for yourself, wife and children? A Yes.
- Q Do you claim your rights as beneficiaries under the provisions of the Fourteenth Article of the Treaty of 1830? A Yes.
- Q Have you ever received any benefits as a Choctaw Indian? A No.
- Q Have any of your ancestors ever received any benefits as Choctaw Indians? A My mother got some money.
- Q Ever get any land? A No.
- Q Did your father get anything? A My father got money.
- Q What is the name of your ancestors or ancestors, who were residents of the old Choctaw Nation in Mississippi and Alabama in 1830 when the Treaty of Dancing Rabbit Creek was entered into between the United States and the Choctaw Indians? A I don't know.
- Q Did any of your ancestors, or your wife's ancestors, remove from the Territory occupied by the Choctaw tribe of Indians in Mississippi and Alabama to the present Choctaw Nation in Indian Territory, at the time of the removal of the other members of the Choctaw tribe between the years 1833 and 1838? A I don't know.
- Q Did any of your ancestors, or your wife's ancestors, ever claim or receive any land in Mississippi as beneficiaries under the provisions of the Fourteenth Article of the Treaty of 1830? A I don't know.
- Q Are there any additional statements you desire to make in support of this application? A No.
- Q Have you any documentary evidence, affidavits, written testimony of any description, copies of records, deeds or patents, or other proper papers showing that any of your ancestors, or any of your wife's ancestors were, in 1830, when the Treaty of Dancing Rabbit Creek was entered into, recognized members of the Choctaw Tribe of Indians, or that any of them ever complied or attempted to comply with the provisions of the Fourteenth Article of the Treaty of 1830, or ever received any benefits under that article of that Treaty? A No.

Ben Gibson, et al., #3.

(This applicant appears to be a full blood Choctaw Indian, and has all the characteristics of a member of that tribe. He speaks the Choctaw language but does not speak the English language, his examination having been through a sworn interpreter of the Choctaw language.)

The decision of the Commission as to the application made by you for the ~~applicant~~ identification of yourself, your wife and four minor children as Mississippi Choctaws, will be determined at the earliest possible date, and a report of same made to the Secretary of the Interior, conformable to the provisions of the Twenty First Section of the Act of Congress of June 28, 1898, and a copy of the same will be mailed to you to your post office address as given in your testimony.

R. S. Streit, having been first duly sworn, upon his oath states that as stenographer to the Commission to the Five Civilized Tribes, he reported in full all proceedings had in the above entitled cause on the 4th day of May, 1901, and that the above and foregoing is a full, true and correct translation of his stenographic notes of said proceedings upon said date.

R. S. Streit

Subscribed and sworn to before me at Meridian, Mississippi, this 8th day of June 1901.

[Signature]
Notary Public.

DEPARTMENT OF THE INTERIOR?
COMMISSION TO THE FIVE CIVILIZED TRIBES.

Cow
In the matter of the application of Ben Gibson, et al.,
for identification as Mississippi Choctaws, M. C. R. 2054.

DECISION.

It appears from the record herein that application for identification as Mississippi Choctaws was made to this Commission on May 4, 1901, by Ben Gibson for himself, his wife, Sallie Gibson and his four minor children, Mullen, Lena, Lulu and Sammon Gibson, under the following provision of the act of Congress approved June 28, 1898 (30 Stats., 495):

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto and make report to the Secretary of the Interior."

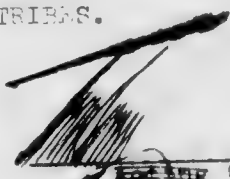
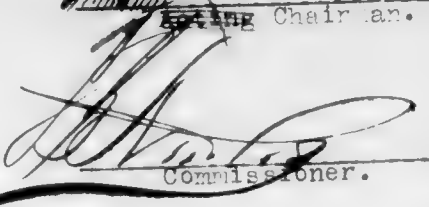
From the evidence submitted in support of said application it appears that all the applicants are full blood Mississippi Choctaw Indians.

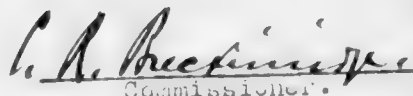
Section forty-one of the act of Congress entitled "An Act to ratify and confirm an agreement with the Choctaw and Chickasaw tribes of Indians, and for other purposes" approved July 1, 1902, (32 Stats., 641) and ratified by the Choctaw and Chickasaw Nations September 25, 1902, provides as follows:

"The application of no person for identification as a Mississippi Choctaw shall be received by said Commission after six months subsequent to the date of the final ratification of this agreement and in the disposition of such applications all full blood Mississippi Choctaw Indians and the descendants of any Mississippi Choctaw Indians whether of full or mixed blood who received a patent to land under the said fourteenth article of the said treaty of eighteen hundred and thirty who had not moved to and made bona fide settlement in the Choctaw-Chickasaw country prior to June twenty-eighth, eighteen hundred and ninety-eight, shall be deemed to be Mississippi Choctaws, entitled to benefits under article fourteen of the said treaty of September twenty-seventh, eighteen hundred and thirty, and to identification as such by said Commission, but this direction or provision shall be deemed to be only a rule of evidence and shall not be invoked by or operate to the advantage of any applicant who is not a Mississippi Choctaw of the full blood, or who is not the descendant of a Mississippi Choctaw who received a patent to land under said treaty, or who is otherwise barred from the right of citizenship in the Choctaw Nation, all of said Mississippi Choctaws so enrolled by said Commission shall be upon a separate roll."

It is, therefore, the opinion of this Commission that Ben Gibson, Sallie Gibson, Mullen Gibson, Lena Gibson, Lulu Gibson and Sammon Gibson, should be identified as Mississippi Choctaws, and it is so ordered.

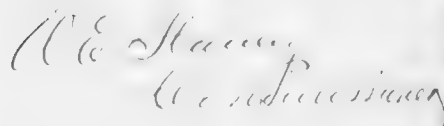
COMMISSION TO THE FIVE CIVILIZED TRIBES.


Acting Chairman.

Commissioner.


Commissioner.

Muskogee, Indian Territory,

APR 17 1900


W. E. Harvey
Commissioner

M.C.R.2054.

COPY.

Muskogee, Indian Territory, April 17, 1903.

Mansfield, McMurray & Cornish,

Attorneys for the Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:

Enclosed herewith you will find a copy of the decision of the Commission rendered April 17, 1903, identifying Ben Gibson, his wife, Sallie Gibson, and minor children, Mullen Gibson, Lena Gibson, Lulu Gibson and Sammon Gibson, as Mississippi Choctaw Indians, under the provisions of the forty-first section of the act of Congress approved July 1, 1902, (32 Stats., 641).

You are hereby advised that you will be allowed fifteen days from the date hereof in which to file with this Commission such protest as you desire to make against the action of the Commission in identifying the said Ben Gibson, his wife and children as Mississippi Choctaws, and make satisfactory proof of service of said protest upon the applicants herein.

If you fail to file such protest within the time allowed, the names of the applicants herein will be placed upon the schedule of duly identified Mississippi Choctaws now being prepared by this Commission.

Respectfully,

(SIGNED)

Tams Bixby.

Chairman.

Registered.
Enc.: 2054.

COPY.

M.C.R. 2054.

Muskogee, Indian Territory, May 4, 1903.

Ben Gibson,

Cushtusa, Mississippi.

Remailed Stigler 30 Aug 15. 1903.

Dear Sir:

Enclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered April 17, 1903, identifying yourself, your wife, Sallie Gibson and your minor children, Mullen Gibson, Lena Gibson, Lulu Gibson and Samson Gibson as Mississippi Choctaw Indians under the provisions of Section 41 of the Act of Congress approved July 1, 1902, (32 Stats., 641).

If you remove to the Choctaw-Chickasaw country, Indian Territory, before November 4, 1903, you will have six months from that date, or until May 4, 1904, within which to make proof of such removal and settlement at the office of the Commission at Atoka, Choctaw Nation, or Tishomingo, Chickasaw Nation.

Respectfully,

(SIGNED)

Tams Bixby.
Chairman.

Registered.

Mno. 2054.

M.C.R. 2054.

COPY.

Muskogee, Indian Territory, May 4, 1903.

Ben Gibson,

Cushtusa, Mississippi.

Dear Sir:

Enclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered April 17, 1903, identifying yourself, your wife, Sallie Gibson, and your minor children, Mullen Gibson, Lona Gibson, Lulu Gibson and Sammon Gibson, as Mississippi Choctaw Indians under the provisions of Section 41 of the Act of Congress approved July 1, 1902, (32 Stats., 641).

If you remove to the Choctaw-Chickasaw country, Indian Territory, before October 17, 1903, you will have six months from that date, or until April 17, 1904, within which to make proof of such removal and settlement at the office of the Commission at Atoka, Choctaw Nation, or Tishomingo, Chickasaw Nation.

Respectfully,

(SIGNED)

Tams Bixby.

Chairman.

Registered.

Enc. 2054.

M C R
2649 2064
5062 5101

Muskogee, Indian Territory, May 12, 1903.

Bobo Marris,

Stigler, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 7th instant, in which you ask if the following named persons have been identified as Mississippi Choctaws:

Bobo Marris	Sanderson Marris
Ben Gipson	Maggie Willis
Charley Jacob.	

In reply you are informed that the Commission has not up to the present time rendered any decision relative to the right of yourself and Sanderson Marris to be identified as Mississippi Choctaws. As soon as a decision is rendered you will be duly notified of the action of the Commission.

You are further advised that Ben Gipson and Charley Jacob have been identified by this Commission as Mississippi Choctaws entitled to allotment in the lands of the Choctaw and Chickasaw Nations, of which action they were duly advised at their last known post office address, Oshtusa, Mississippi.

It does not appear from our records that any person by the name of Maggie Willis is an applicant to this Commission for

B M 2

identification as a Mississippi Choctaw.

Respectfully,

Commissioner in Charge.

M C R 2054

Muskogee, Indian Territory, April 12, 1905.

Mullen Gipson,

Stigler, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of the application for the enrollment as a citizen of the Choctaw Nation of Mita Mullen Gipson, infant daughter of Mullen Gipson and Macky Gibson, born December 25, 1903.

It is stated in the affidavit of the mother that she is a citizen by blood of the Choctaw Nation, but we are unable to locate her name upon our records. You are therefore requested to inform this office of the maiden name of Macky Gibson, the time and place application was made for her enrollment, her age, and the names of her father and mother.

This matter should be attended to at once.

Respectfully,

Commissioner in Charge.

Ben Gibson, et al.,

2054

IDENTIFIED

DECISION RENDERED APR 13 1903

COPY OF DECISION FORWARDED
ATTORNEYS FOR
CHICKASAW NATION

COPY OF DECISION FORWARDED APPLICANT MAY 1903

P.O. May 7, 1903.

Stigler, L.T.

For Identification as a Mississippi Choctaw.

Date May 4, 1901

Name Ben Gipson

Age 47 Blood full

Post Office, Cushtuta, Miss. f. b. d

Father: Gipson (Dioniletubba) f. b. d

Mother: Betsey Gipson f. b. d

Claims through both parents.

wife, Sallie full blood, 48

father - Jim Porter f. b. - d

mother - - - f. b. d

See M C Card filed No. 208

Children:

Mullen (boy) 19

Lena — 17

Lulu 14

Sammon 11

appears for self wife
and children.

Stenographer R. J. Street

END
OF
ROLL